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SERIES I No. 19

OFFICIAL GOVERNMENT OF GOA GAZETTE



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NOTE

There are two Extraordinary issues to the Official Gazette, Series I No. 18 dated 4-8-2016, namely:—

(1) Extraordinary dated 4-8-2016 from pages 721 to 722 regarding the Goa Excise Duty (Amendment) Rules, 2016.—
Not. No. 2/10/2012-Fin(R&C)/Part II/653 from Department of Finance (Revenue & Control Division).

(2) Extraordinary (No. 2) dated 10-8-2016 from pages 723 to 724 regarding Amendment for Casino Licence of Land based casino in a Five Star Hotel—Not. No. 21/1/2016-HD(G)/2604 from Department of Home (Home—General Division).

INDEX

Department	Notification/Order/Bill	Subject	Pages
1. a. Agriculture Dir. & ex officio Jt. Secy.	Not.- 3/3/Hort/SSS/1/ /2016-17/D.Agri/126	Scheme— Development of Horticulture 2016.	726
b. —do—	Not.- 3/3/Hort/SSS/2/ /2016-17/D.Agri/129	Modified scheme— Assured Price for Agricultural Produce-2016.	729
2. Animal Husbandry & Veterinary Services Dir. & ex officio Jt. Secy.	Not.- 13-91/Kamd/(S)/ /2016-17/2592	Amended Kamdhenu Scheme Sudharit.	732
3. a. Education, Art & Culture Director	Not.- DE/Acad/RIMC/ /2016/1967	Substitution of clause 3 of the scheme for cadets studying in Military Schools.	733
b. Dte. of Higher Education Under Secretary	Ord.- 8/4/2016-DHE/ /Revival-Princp/1308	Revival of Posts in Government Colleges.	733
4. a. Goa Legislature Secretariat	Bill- LA/LEGN/2016/1190	The Goa Co-operative Societies (Amendment) Bill, 2016.	733
b. —do—	Bill- LA/LEGN/2016/1191	The Goa Agricultural Produce Marketing (Development and Regulation) (Amendment) Bill, 2016.	736
c. —do—	Bill- LA/LEGN/2016/1192	The Goa Value Added Tax (Ninth Amendment) Bill, 2016.	738
d. —do—	Bill- LA/LEGN/2016/1193	The Goa (Recovery of Arrears of Tax through Settlement) (Amendment) Bill, 2016.	744
e. —do—	Bill- LA/LEGN/2016/1194	The Goa Excise Duty (Amendment) Bill, 2016.	753
f. —do—	Bill- LA/LEGN/2016/1195	The Goa Staff Selection Commission Bill, 2016.	756
g. —do—	Bill- LA/LEGN/2016/1212	The Goa Motor Vehicles Tax (Amendment) Bill, 2016.	762
h. —do—	Bill- LA/LEGN/2016/1213	The Goa Motor Vehicles (Taxation on Passengers and Goods) (Amendment) Bill, 2016.	770
i. —do—	Bill- LA/LEGN/2016/1214	The Goa Waste Management Corporation Bill, 2016.	771
5. Revenue Under Secretary	Ord.- 35/4/2016-RD/2433	Remitting entire Stamp Duty chargeable on conveyance relating to immovable property.	787
6. Sports and Youth Affairs Dir. & ex officio Jt. Secy.	Not.- DSYA/SYP/2016-17/ /1763	Amended Scheme for implementation of the Goa State Youth Policy, 2015.	787
7. Tribal Welfare Dir. & ex officio Jt. Secy.	Ord.-1-1-2016-17/ADMN/ /DTW/5329	Creation of posts— Directorate of Tribal Welfare.	790

GOVERNMENT OF GOA**Department of Agriculture**

Directorate of Agriculture

Notification

3/3/Hort/SSS/1/2016-17/D.Agr/126

Horticulture is a major activity in the State, as it occupies more than 60% of the total cropped area. The small and fragmented holdings coupled with high cost of labour have increased the cost of cultivation with corresponding reduction in income in recent years. It is therefore proposed to support this sector with various incentives and assistance.

1. *Short title and commencement.*— (i) The scheme shall be called “Development of Horticulture 2016”.

(ii) The scheme shall come into force with immediate effect and shall remain in force till it is withdrawn.

(iii) The scheme shall cover all talukas of the State of Goa.

2. *Objectives.*— (i) To increase the area and productivity of horticultural crops.

(ii) Boost to floriculture activity.

(iii) Increase production of quality vegetables.

(iv) Promote fruit yielding trees in open spaces.

(v) To create irrigation infrastructure to support horticulture and other agricultural activities.

(vi) To promote agriculture among students.

3. *Eligibility criteria for Selection of Farmers.*—

(i) All owners of land willing to cultivate agricultural/horticultural crops are eligible to avail the benefits of this scheme and applicant's name should reflect in Krishi Card abstract as owner or having right for cultivation.

(ii) The land shall be in his/her own name or inherited or taken on lease for a period of not less than ten years. Those holding land on lease should have a valid period of at least 6 years on the date of application.

(iii) Minimum area for assistance for cultivation of Coconut, Mango, Pineapple, Papaya, Cashew, Chickoo, Kokum, Guava, Breadfruit, Jackfruit, Banana and spice crops is 0.1 ha and for floriculture crops is 0.05 ha.

(iv) The criteria of land requirement is proposed to be dispensed for scheme of distribution of fruit plants to households as they are to be planted as backyard plants.

(v) Drip & Sprinkler irrigation system should be installed by approved dealer only.

(vi) In component “Support to young children to develop Kitchen Gardens” school going children upto standard X shall be eligible.

4. *Pattern of Assistance.*—

4.1 *Coconut Cultivation:*— (i) The average cost of cultivation in the State of Goa of Coconut is about Rs. 40,000/- with 160 palms per ha. An assistance of 75% on the cost of cultivation i.e. Rs. 30,000/- per ha and in proportion of area covered at recommended spacing shall be provided to farmers. Maximum subsidy for one beneficiary shall be restricted to 2 hectares.

(ii) The subsidy provided under Coconut Development Board scheme by GOI would be adjusted within the above assistance and only balance assistance would be provided under this State Sector Scheme.

4.2 *Cultivation for Banana/Pineapple/Papaya:*— (i) The cost of cultivation of Banana, Pineapple & Papaya is estimated at Rs. 90,000/- per ha. An assistance of 75% of the cost upto a maximum of Rs. 67,500/- per ha will be provided in proportion to area cultivated.

(ii) The subsidy provided by GOI would be adjusted within the above assistance and only balance assistance would be provided under this State Sector Scheme.

(iii) The State subsidy shall be provided in 1st year as one time assistance over and above the total assistance provided under Government of India.

(iv) Minimum plantation at a time of at least 320 suckers of tissue culture or 250 suckers/seedling of other varieties of Banana/Papaya, 4500 suckers of Pineapple in one block shall be considered for assistance with maximum restricted to 4.0 ha.

4.3. *Cultivation of Flowers:*— (i) An assistance of 75% of the cost of cultivation limited to Rs. 75,000/- per hectare for bulbous crop and Rs. 45,000/- per hectare for loose flowers crops shall be provided for new area expansion. The assistance would be provided upon actual planting and verification of its complete maintenance by farmers. The assistance would be provided to minimum area of 0.05 ha, cultivated either individually or by group of farmers, women, Self Help Groups (SHG) etc., and for maximum of 4 ha of area.

4.4 *Cultivation of Fruits/Spices:*— (i) An assistance for all types of fruits and spices cultivated on an area of 0.1 ha and above is provided to the extent of 75% of the cost of cultivation or a maximum Rs. 30,000/- per hectare for crops other than Banana, Papaya and Pineapple and Flower.

(ii) The assistance that is provided under Government of India scheme would be adjusted within this subsidy.

(iii) The subsidy under State shall be paid in one instalment during the first year over and above the total assistance provided under Government of India.

4.5 *Creation of Irrigation Infrastructure:*—

(i) Pumpsets and up-gradation of irrigation system.

(ii) Assistance is provided towards installation of new water pumpset, replacement of existing water pumpsets, up-gradation of existing irrigation systems, installation of add-on gadgets like remote control, timers, fertigation tank, sand filters, etc.

(iii) In case of installation of new pumpsets with capacity upto 5 HP, assistance will be upto 90% of the approved cost, whereas water pumpsets above 5 HP will be assisted upto 50% of the approved costs.

(iv) The cost norms will be as approved by Departmental Committee from time to time.

(v) Assistance @ 50% of approved cost shall be provided for replacement of all the pumpsets which are more than 5 years old, irrespective of their capacity.

(vi) Pumps required to be replaced for up-gradation of irrigation system due to installation of sprinkler/drip, would be provided assistance @ 90% and 50% as proposed for fresh installation.

(vii) Assistance for add-on gadgets like remote control, timers, fertigation tank, sand filters, etc., would be 50% of the cost.

(viii) Assistance will be provided to farmers having land above 0.125 ha with net area under crops of 0.1 ha.

A. *Assistance for Micro Irrigation.*—

(i) Assistance will be provided to farmers having land above 0.125 ha with net area under crops of 0.1 ha.

(ii) A total of 90% subsidy for installation of drip irrigation system and 75% subsidy for installation of sprinkler irrigation system shall be provided to farmers subject to maximum average costs per hectare approved from time to time.

(iii) The subsidy eligible from Government of India shall be adjusted against the total subsidy due to the farmer.

(iv) Average System costs per hectare for drip and sprinklers will be adopted for different spacing of crops as per Scheme of Government of India from time to time.

(v) Average System costs per hectare for drip and sprinklers of Government of India are far lower than those prevailing in Goa due to higher cost of system, labour costs, etc.

Hence, additional weightage 75% is permitted while calculating subsidies under Drip and Sprinkler under components of State Sector Scheme.

(vi) Subsidy is released after the system is installed, commissioned and works to the satisfaction of the farmer. Subsidy would be provided based on the actual area covered under the system.

B. Assistance for water conveying pipeline.—

(i) Assistance will be provided to farmers having land above 0.125 ha with net area under crops of 0.1 ha.

(ii) Farmers installing water conveying pipeline will be provided assistance upto 50% of the cost limited to Rs. 20,000/- per ha and maximum of Rs. 1,00,000/- per farmer.

(iii) The farmers shall invariably use Rigid PVC or HDPE pipeline or any other material as recommended from time to time.

C. Assistance for water storage tank.—

(i) Cultivators holding minimum 0.1 ha area under agriculture shall be provided with 50% subsidy on the standard cost for digging & construction of pond for storage of water for irrigation.

(ii) The farmer can opt for any size of pond as per the need of the crop and subsidy will be provided on pro rata basis.

(iii) The lowest size of the pond admissible for subsidy shall be 15 m³ and maximum 100 m³.

(iv) The cost of construction or actual whichever is of storage structure/pond shall be restricted to Rs. 2,000/- per m³ and 50% subsidy thereon shall be provided as per actual size and maximum limited to Rs. 1,00,000/-.

4.6 Vegetable seeds:— The vegetable seed requires to be replaced for better productivity every season in case of hybrids and at least once in two to three years in case of other varieties. 50% subsidy will be provided for open pollinated high yielding vegetable seed and hybrid seed sold through the departmental sale points or through the Zonal Agriculture Office (ZAO).

4.7 Assistance for distribution of fruit plants for homestead gardens:— (i) Each household shall be provided with one or two fruit bearing plants free of cost for planting in their back yard.

(ii) The cost of seedlings/grfts supplied to each family shall not exceed Rs. 150/-.

(iii) Each Constituency shall be supplied 1000 plants as per the needy households in the Constituency annually.

(iv) The public schools, colleges taking up tree planting in their land shall also be provided with maximum of 200 plants apart from the plants provided for households with the approval of the Directorate of Agriculture.

5. Guidelines & Procedures.— (i) The cultivators interested shall submit his application in the prescribed format along with Krishi Card copy.

(ii) Prior approval of Directorate of Agriculture shall be obtained for Irrigation/Micro Irrigation schemes.

(iii) Farmers shall carry out the work as per the advice of the Zonal Agricultural Officer and report the completion of the work along with photograph, bills and receipt.

(iv) The project/site will be inspected by Zonal Agricultural Officer or his representative

and processed for release of subsidy as per the pattern of assistance, and submitted to District Agricultural Officer (DAO).

(v) The District Agricultural Officer shall examine the claim and accord expenditure sanction for subsidy within his powers.

(vi) The District Agricultural Officer shall draw and disburse the subsidy.

6. *Interpretation.*— If any question arises regarding interpretation of any clause, word, expression of the scheme, the decision shall lie with the Government, which shall be final and binding on all concerned.

7. *Redressal of grievances and disputes.*— Grievances if any, arising out of the implementation of this scheme, shall be heard and decided by the Minister for Agriculture and the decision of the Minister for Agriculture in this regard shall be final and binding on all concerned.

This issues with the concurrence of Finance Expenditure Department under U. O. No. Fin (Exp) 1400025699 dated 11-07-2016.

By order and in the name of Governor of Goa.

Ulhas B. Pai Kakode, Director & ex officio Joint Secretary (Agriculture).

Tonca, Caranzalem, 26th July, 2016.

Notification

3/3/Hort/SSS/2/2016-17/D.Agri/129

Government has been striving to make agriculture economically viable to farmers. The costs of cultivation have been increasing in recent times along with difficulty in availability of labour. Prices of agricultural produce also keep fluctuating drastically. The programme of registering farmers under Krishi Cards scheme is also underway. In view of the above and to ensure that farmers receive at least an economically remunerative price, Government is pleased to introduce the modified scheme

viz “Assured price for Agricultural Produce–2016”. The scheme shall ensure Assured Price for the Agricultural produce especially for Arecanut, Coconut, Cashewnut, Paddy, Sugarcane, Alsando and Oil palm.

Accordingly, the earlier scheme “Assured price for Agricultural Produce” notified vide No. 3/3/Hort/AP/2/2012-13/D.Agri/475 dated 21-03-2013 stands withdrawn along with subsequent amendments from the date of publication of this modified State sector scheme “Assured price for Agricultural Produce–2016” in the Official Gazette of the Government of Goa.

1. *Short title and commencement.*— (i) The scheme shall be called “Assured Price for Agricultural Produce–2016”.

(ii) The scheme shall come into force from the date of its publication in the Official Gazette of the Government of Goa and shall remain in force till it is withdrawn.

(iii) The scheme shall cover all talukas of the State of Goa.

2. *Objectives.*— (i) To assure the farmer of minimum rate in advance so as to encourage them to venture into investments in agriculture with full confidence.

(ii) To help maintain traditional plantation that support rural economy of Goa.

(iii) To generate employment in rural Goa.

(iv) To attract younger generation to agriculture as an economical viable activity.

3. *Eligibility criteria for Selection of Farmers.*— (a) The farmer claiming assured price should be cultivating the crops under claim in the State of Goa.

(b) He should be a valid Krishi Card holder of the State of Goa.

(c) In case of crop cultivated in Goa and supplied to Sanjeevani Sahakari Sakhar Karkhana Ltd. (SSSK) and M/s Godrej Agrovat

Ltd., a farmer not possessing Krishi Card would be provided Assured price with recommendation Certificate from SSSK for sugarcane and M/s Godrej Agrovat Ltd. for oil palm.

(d) In seasonal crops claim upto 3000 kgs. in case of paddy and 400 kgs. in case of alsando, land documents may not be provided however, an Undertaking shall be required to be produced towards the arrangement done for seasonal cultivation.

(e) The farmer should sell their produce to approved dealers/traders only. Such traders should be duly registered with Goa State Agricultural Produce Marketing Board for arecanut, coconut & cashew. In case of alsando/paddy dealers will be register with Department of Agriculture. The farmer should sell sugarcane to Sanjeevani Sahakari Sakhar Karkhana Ltd., and oil palm fruits to M/s Godrej Agrovat Ltd., being the approved companies which are allotted the factory zone for procurement.

(f) The receipt towards claim should be endorsed by Goa State Agriculture Marketing Board for coconut, cashewnut, arecanut and by concerned processing factory for sugarcane and oil palm fruits and Department of Agriculture in case of paddy, Alsando. However Agencies issuing computerized bills will be exempted from endorsement with due approval of Director of Agriculture.

(g) All the traders procuring the commodities under Assured Price scheme shall be required to be registered with the Directorate of Agriculture and the claim thereafter shall be admitted only from those traders who are registered with Department of Agriculture, Government of Goa.

(h) The total claim for less than 50 kgs. of arecanut, 500 Nos. of coconut, 50 kgs. of cashewnut, 100 kgs. of paddy and 50 kgs. of alsando shall not be considered for benefit under Assured Price scheme.

4. *Pattern of assistance.*— (i) Pattern of assistance for Arecanut: The arecanut sold shall be considered for providing assured price as below:—

Category	Minimum rate assured (Rs./kg)	Maximum support (Rs./kg)	Maximum admissible qty. in kgs. per farmer
Supari	170.00	20.00	} 6,400
Khoka, Lal			
Khoka, Vench	120.00	10.00	

The support under Assured Price scheme shall cease if the price in market exceeds Rs. 170/- in case of supari and Rs. 120/- in case of khoka and other categories of produce. Minimum quantity that would be considered for Assured Price benefit scheme shall be 50 kgs.

(ii) *Pattern of assistance for Coconut:*— (a) Benefit of assured price shall be provided to the coconut sold to registered trader to the extent of difference between assured rate of Rs. 10/- and the price received per nut by the farmers.

(b) Benefit shall be limited to 50,000 nuts per beneficiary for a maximum area of 5 hectares with 800 bearing coconut trees. The per hectare production of coconut shall be treated as per actual but not more than 10,000 nuts per ha. Farmers having lesser area would be paid proportionate to their area. The rate received by farmers shall be the actual price received or the average minimum rate for the week notified by Goa State Agricultural Marketing Board, whichever is higher.

(c) Minimum number of coconuts sold shall not be less than 500 number to avail the benefit under the above scheme.

(d) The Directorate of Agriculture will fix the average minimum rate for the week by calculating the average minimum rates given by Goa State Agricultural Marketing Board (GSAMB) and other co-operative societies purchasing coconut.

(e) The average minimum price fixed per coconut will not be less than Rs. 4/- per nut and the maximum assured price to be paid to an individual farmer shall not exceed Rs. 3.00 lakhs.

(iii) *Pattern of assistance for Cashew:*— (a) Benefit of assured price of Rs. 100/- per kg shall be provided to raw cashewnut sold by farmers to the extent of difference between Rs. 100/- per kg and the price received per kg. by the farmer. The price received shall be actual price received by sale or average rate for the week notified by the Goa State Agricultural Marketing Board (GSAMB), whichever is higher. In case the rates are not notified for the week by GSAMB, the last rates as notified would be considered as rate of sale in the market.

(b) Benefit of the scheme shall be provided to maximum of 2,000 kgs. per individual cultivator, considering maximum area of 5 ha. with 1,000 bearing cashew trees. The farmers having less area would be paid assured price proportionate to their area. Minimum quantity that would be considered to avail benefit shall not be less than 50 kgs.

(iv) *Pattern of assistance for Paddy:*— Difference between assured price of Rs. 20/- per kg. and actual price received by farmers for sale of paddy to the authorized paddy purchase agencies shall be provided under the scheme of Assured Price. A farmer will be entitled for assistance for maximum of 7,500 kgs. per season for production @ 5,000 kgs. per hectare. Farmers cultivating paddy in both seasons will be entitled for assistance for both the seasons limited to 7,500 kgs. per season. Minimum quantity required to be sold by farmer to avail benefit shall not be less than 100 kgs.

(v) *Pattern of assistance for Sugarcane:*— Assured price of Rs. 2,500/- per ton exclusive of harvesting charges and transport cost shall be provided to sugarcane growers towards sugarcane, sold to Sanjeevani Sahakari Sakhar Kharkana Ltd. (SSSK). The difference between Rs. 2,500/- and the price per tonne announced by SSSK shall be paid by Department of

Agriculture directly to the farmers for the produce sold to SSSK Ltd.

(vi) *Pattern of assistance for Alsando:*— Benefit of assured price of Rs. 70/- per kg. of alsando shall be provided to alsando sold by the grower to the extent of difference between Rs. 70/- per kg. and actual price received per kg. by farmers from sale to Co-operative Societies. A maximum of 800 kgs. from one hectare of area shall be provided with the benefit. Minimum quantity to be sold by farmer to avail benefit shall not be less than 50 kgs.

(vii) *Pattern of assistance for Oil Palm:*— Benefit of assured price of Rs. 9,000/- per ton of oil palm fruit shall be provided to the growers for sale of produce to M/s Godrej Agrovat Ltd., Sattari. The difference between Rs. 9,000/- and the price per tonne notified by Goa Oil Palm Project Management Committee shall be paid by Department of Agriculture directly to the farmers under this scheme.

5. *Guidelines & Procedures.*— (i) The farmer shall apply in prescribed form along with copy of Krishi Card within three months from the date of sale of produce in case of Paddy, Arecanut, Coconut, Cashewnut and Alsando.

(ii) Zonal Agricultural Officer shall verify the correctness of the claim from office records or actual verification on site and determine the quantity of produce admissible if required.

(iii) Zonal Agricultural Officer shall calculate the subsidy as per the pattern for that year and submit claim to District Agriculture Officer for scrutiny and sanction of subsidy.

(iv) The expenditure sanction shall be issued by the concerned District Agriculture Officer and subsidy shall be drawn and disbursed by the District Agriculture Officer.

(v) The support under Assured Price scheme shall cease if the price in market for above seven commodities exceeds the assured price fixed for that produce/commodity.

(vi) Sugarcane farmers shall submit application through SSSK Ltd., alongwith the

documents. SSSK will subsequently forward the list of farmers and their quantity of cane supplied to the factory to respective ZAOs.

6. *Interpretation.*— If any question arises regarding interpretation of any clause, word, expression of the scheme, the decision shall lie with the Government, which shall be final and binding on all concerned.

7. *Redressal of grievances and disputes.*— Grievances if any, arising out of the implementation of this scheme, shall be heard and decided by the Minister for Agriculture and the decision of the Minister for Agriculture in this regard shall be final and binding on all concerned.

This issues with the concurrence of Finance Expenditure Department under U. O. No. Fin (Exp) 1400025413, dated 05-07-2016.

By order and in the name of Governor of Goa.

Ulhas B. Pai Kakode, Director & ex officio Joint Secretary (Agriculture).

Tonca, Caranzalem, 26th July, 2016.

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Department of Animal Husbandry & Veterinary Services

Directorate of Animal Husbandry & Veterinary Services

Notification

13-91/Kamd/(S)/2016-17/2592

Read: Kamdhenu Scheme Sudharit published in Official Gazette, Series I No. 33 dated 15-11-2012, amended in Official Gazette, Series I No. 13 dated 25-6-2015 and further amended vide notification published in Official Gazette, Series I No. 24 dated 10-09-2015 and further amended published in Official Gazette Series I No. 27 dated 01-10-2015.

Whereas the Government has notified the scheme on 15-11-2012 and the same is published in Official Gazette, Series I No. 33 and amended vide notification published in Official Gazette, Series I No. 13 dated 25-6-2015, further amended vide notification published in Official Gazette, Series I No. 24 dated 10-09-2015 and further amended published in Official Gazette, Series I No. 27 dated 01-10-2015.

And whereas Government desires to further amend Kamdhenu Scheme Sudharit in public interest.

Now therefore Clause 15 of Kamdhenu Scheme. Sudharit is amended to be read as under:

Animals purchased under the scheme should be insured for minimum period of a 3Ω years under the Comprehensive Insurance Policy with such insurance Agency/Company as the Department may from time to time notify. It shall be the sole responsibility of the beneficiary to insure the animals immediately on purchase. The Government shall not be responsible in the event of the death of the animal or otherwise. The respective Financing Institution shall be responsible for the tie up arrangement of insurance cover between the beneficiary and the insurance Company. The premium towards insurance including transit insurance should be initially borne by the beneficiaries/financing institution, the Department shall reimburse the premium amount to a maximum of Rs. 9,600/- (Rupees nine thousand six hundred only) per animal directly to the financing institution, together with the subsidy amount on receipt of all the required documents in order.

These issues with the concurrence of Finance Expenditure Department under U. O. No. Fin (Exp) 1798 dated 06-06-2016.

By order and in the name of Governor of Goa.

Dr. Santosh V. Desai, Director & ex officio Joint Secretary (AH).

Panaji, 5th August, 2016.

Department of Education, Art & Culture

Directorate of Education

Notification

DE/Acad/RIMC/2016/1967

Read: Notification No. DE/Acad/Misc/RIMC/2016/1805, dated 27-06-2013.

The Government hereby substitutes clause 3 of the scheme read above as under:—

Amount of Scholarship subject to admission and selection in Rashtriya Indian Military College (RIMC) at Satara in Maharashtra or any other Army School in India. The quantum Scholarship shall be Rs. 50,000/- (Rupees fifty thousand only) per annum from the financial year, 2016-17 per cadet for 10 cadets in a year.

The Notification is issued with the approval of the Government vide U. O. No. 1786, dated 8-07-2016 and approval of the Finance (Exp) Department, vide U. O. No. 140002530, dated 20-06-2016.

By order and in the name of the Governor of Goa.

Gajanan P. Bhat, Director (Education).

Porvorim, 1st August, 2016.

Directorate of Higher Education

Order

8/3/2016-DHE/Revival-Princp/1308

Sanction of the Government is hereby accorded for revival of 04 (four) posts of Principal (Group "A" Gazetted) in the following Government Colleges, under Directorate of Higher Education in the pay scale of Rs. 37400-67000 + AGP: Rs. 10000/- Plus S. A. Rs. 2000/-, with immediate effect:—

1. Government College of Arts, Science and Commerce, Khandola, Marcel.
2. Government College of Commerce, Borda, Margao.

3. Goa College of Music, Panaji.

4. Goa College of Home Science, Panaji-Goa.

The expenditure towards the pay and allowances shall be debitable under the Demand No. 35 of Budget Head: 2202—General Education; 03—University and Higher Education; 103—Government Colleges and Institutes; 01—Government College (Plan); 01—Salaries.

This issues with the recommendation of the Administrative Reforms Department vide U. O. No. 837/F dated 23-06-2016 and concurrence of Finance (Rev. & Cont.) Department vide their U.O. No. Fin. (R&C)/1400025802-F dated 29-07-2016.

By order and in the name of the Governor of Goa.

Diwan N. Rane, Under Secretary (Higher Education).

Porvorim, 4th August, 2016.

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Goa Legislature Secretariat

LA/LEGN/2016/1190

The following bill which was introduced in the Legislative Assembly of the State of Goa on 8th August, 2016 is hereby published for general information in pursuance of Rule – 138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

**The Goa Co-operative Societies
(Amendment) Bill, 2016**

(Bill No. 23 of 2016)

A

BILL

further to amend the Goa Co-operative Societies Act, 2001 (Goa Act 36 of 2001).

Be it enacted by the Legislative Assembly of Goa in the Sixty-seventh Year of the Republic of India, as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Co-operative Societies (Amendment) Act, 2016.

(2) It shall come into force on such date as the Government may, by notification in the Official Gazette, appoint.

2. *Amendment of section 45.*— In section 45 of the Goa Co-operative Societies Act, 2001 (Goa Act 36 of 2001) (hereinafter referred to as the “principal Act”), sub-section (5) shall be omitted.

3. *Amendment of section 52.*— In section 52 of the principal Act, in sub-section (2), for clause (c), the following clause shall be substituted, namely:—

“(c) Not less than 2% with a maximum limit of rupees fifty thousand towards contribution to the Co-operative Education Fund which shall be transferred to the Co-operative Education Fund as maintained by the Registrar of Co-operative societies;”

4. *Amendment of section 58.*— In section 58 of the principal Act, in sub-section (3), in clause (d), the expression “of mutually aided society” shall be omitted.

5. *Amendment of section 61.*— In section 61 of the principal Act, for the expression “shall be ineligible to continue as directors of the society”, the expression “shall be ineligible to continue as directors of any society” shall be substituted.

6. *Amendment of section 81.*— In section 81 of the principal Act, after the expression “to the Registrar”, the expression “alongwith the filing fees as prescribed,” shall be inserted.

7. *Amendment of section 83.*— In section 83 of the principal Act,—

(i) in sub-section (1), after the words “the Board of Directors”, the words “or office bearers” shall be inserted;

(ii) in sub-section (2), the expression “elections of the office bearers,” shall be omitted.

8. *Amendment of section 120.*— In section 120 of the principal Act, in sub-section (3), the expression “by an officer authorized in this behalf, by the Government by a general or special order” shall be omitted.

Statement of Objects and Reasons

The Bill seeks to omit sub-section (5) of section 45 of the Goa Co-operative Societies Act, 2001 (Goa Act 36 of 2001) (hereinafter referred to as the “said Act”) so as to make the provisions of section 45 applicable also to the surety of a loanee member.

The Bill further seeks to amend sub-section (2) of section 52 of the said Act, so as to provide that a sum not less than 2% of the balance net surplus, not exceeding rupees fifty thousand, shall be appropriated and transferred to the Co-operative Education Fund as maintained by the Registrar of Co-operative Societies.

The bill also seeks to amend sub-section (3) of section 58 of the said Act so as to bring it in line with section 74 of the said Act.

The bill also seeks to amend section 61 of the said Act so as to refrain a member from continuing as the director of any society consequent upon his disqualification.

The bill also seeks to amend section 81 of the said Act, so as to make provision for payment of fees while filing returns.

The bill also seeks to amend sub-section (1) and sub-section (2) of section 83 of the said Act, so as to provide that the dispute about the election of the office bearers shall also be referred to the Co-operative Tribunal.

The bill also seeks to amend sub-section (3) of section 120 of the said Act, so as to do

away with the provision regarding deciding sanction for prosecution by authorized officer and empower the Registrar to decide about such sanction.

This Bill seeks to achieve the above objects.

Financial Memorandum

No financial implications are involved in this Bill.

Memorandum Regarding Delegated Legislation

Clause 1 (2) of the Bill empower the Government to appoint a date for bringing into force the Act by Notification in the Official Gazette.

This delegation is of normal character.

Porvorim-Goa. MAHADEV N. NAIK,
4th August, 2016. Minister for Co-operation.

Assembly Hall, NILKANT SUBEDHAR,
Porvorim-Goa. Secretary to the Legislative
4th August, 2016. Assembly of Goa.

ANNEXURE

Sr. No.	Section	Text of Existing Section
1	2	3
1	45(5)	This section shall not apply to the surety of a loanee member.
2	52(2)(c)	Not less than 2% with a maximum limit of Rupees fifty thousand contribution to the Co-operative Education Fund which shall be transferred to the Goa State Co-operative Union
3	58(3)(d)	appointment and removal of statutory auditors of mutually aided society;
4	61	<i>Disqualification of all directors of the board.</i> — Notwithstanding anything contained in the foregoing section, all the directors of the board shall, be

1	2	3
		deemed to have incurred disqualification for a period of five years for being chosen as directors and shall be ineligible to continue as directors of the society, if, during their term as directors of the society,—
5	81	<i>Filing of returns.</i> — Every Co-operative society shall file returns, within six months of the close of every co-operative year, to the Registrar, including the following matters, namely:—
6	83(1)	Notwithstanding anything contained in any other law for the time being in force, any dispute touching the election to the Board of Directors of society shall be referred by any of the parties to the dispute, to the Co-operative Tribunal within a period of 30 days from the date of declaration of the result of the election:
	83(2)	Notwithstanding anything contained in any other law for the time being in force, any dispute touching the constitution, elections of the office bearers, conduct of general meetings, management or business of a society shall be referred by any of the parties to the dispute, or by a federal society to which the society is affiliated, or by a creditor of the society, as the case may be, to the Registrar, if both the parties thereto are one or other of the following:—
7	120(3)	No prosecution under this Act shall be lodged except with the previous sanction of the Registrar. Such sanction shall not be given except after hearing the parties concerned by an officer authorised in this behalf, by the Government by a general or special order.

LA/LEGN/2016/1191

The following bill which was introduced in the Legislative Assembly of the State of Goa on 8th August, 2016 is hereby published for general information in pursuance of Rule - 138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

**The Goa Agricultural Produce Marketing
(Development and Regulation)
(Amendment) Bill, 2016**

(Bill No. 24 of 2016)

A

BILL

*further to amend the Goa Agricultural Produce
Marketing (Development and Regulation) Act,
2007 (Goa Act 11 of 2007).*

BE it enacted by the Legislative Assembly of Goa in the Sixty-seventh Year of the Republic of India, as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Agricultural Produce Marketing (Development and Regulation) (Amendment) Act, 2016.

(2) It shall come into force at once.

2. *Amendment of section 12.*— In section 12 of the Goa Agricultural Produce Marketing (Development and Regulation) Act, 2007 (Goa Act 11 of 2007) (hereinafter referred to as the “principal Act”),—

(i) in sub-section (1),—

(a) for the word “twenty-one”, the word “twenty-three” shall be substituted;

(b) for clauses (f) and (g), the following clauses shall be substituted, namely:—

“(f) two cashew grower members, one each from the North Goa District and the South Goa District, to be elected by the cashew growers of the respective District from amongst themselves;

(g) one horticulturist/floriculturist member, to be elected, by rotation, by the horticulturists/floriculturists of the State of Goa;”;

(ii) after clause (g), the following clause shall be inserted, namely:—

“(h) the Secretary of the Marketing Board, to function during the term of the Marketing Board.”;

(iii) in sub-section (2), after the existing proviso, the following proviso shall be inserted, namely:—

“provided further that where the number of members of the Marketing Board is increased within one year preceding the date on which the term of other existing members of the Marketing Board expires, the Government may nominate a person from the respective category, to such office.”.

3. *Substitution of section 19.*— For section 19 of the principal Act, the following section shall be substituted, namely:—

“19. *Casual vacancies.*— Subject to the provisions of sub-section (2) of section 13, in the event of any vacancy on the Marketing Board occurring on account of death, resignation or removal of a member or otherwise, the Chairman shall forthwith communicate the occurrence of such vacancy to the Government and such vacancy shall be filled by the Government by appointing a person from the respective category thereto, who shall hold office so long as the member in whose place he is appointed would have held it, if the vacancy had not occurred:

Provided that the person so appointed by the Government shall hold such office during the pleasure of the Government:

Provided further that, if the vacancy occurs within six months preceding the date on which the term of office of the member expires, such vacancy shall not be filled:

Provided also that, where there are vacancies on the Marketing Board in excess of one third of total number of members, the remaining members shall call upon the Registrar to hold the election to fill such vacancies for remaining period.”.

4. *Amendment of section 20.*— In section 20 of the principal Act, for the expression “clauses (a), (b) and (d)”, the expression “clauses (a), (b), (d), (f) and (g)” shall be substituted.

Statement of Objects and Reasons

The Bill seeks to amend sub-section (1) of section 12 of the Goa Agricultural Produce Marketing (Development and Regulation) Act, 2007 (Goa Act 11 of 2007) (hereinafter referred to as the “said Act”), so as to allow representation of the cashew growers and horticulturists/floriculturists on the Marketing Board.

The Bill further seeks to empower the Government to nominate a person from respective category where the number of members of the Marketing Board is increased for the first time within one year preceding the date on which the term of other existing members of the Marketing Board expires.

The Bill also seeks to amend section 19 of the said Act so as to empower the Government to fill up the casual vacancies.

The Bill also seeks to amend section 20 of the said Act, which Amendment is consequential in nature.

This Bill seeks to achieve the above objects.

Financial Memorandum

No financial implications are involved in this Bill.

Memorandum Regarding Delegated Legislation

No delegated legislation is envisaged in this Bill.

Porvorim-Goa, 4th August, 2016. MAHADEV N. NAIK
Minister for Co-operation.

Assembly Hall, Porvorim-Goa, 4th August, 2016. NILKANT SUBEDHAR
Secretary to the Legislative Assembly of Goa.

ANNEXURE

Extract of sections of the Goa Agricultural Produce Marketing (Development and Regulation) Act, 2007 (Goa Act 11 of 2007)

Section 12. *Constitution of the marketing Board.*— (1) Subject to the provisions of sub-section (2), the Marketing Board shall consist of the following twenty-one members, namely:—

(a) Twelve agriculturist members to represent agriculturists, one from each taluka of the State of Goa, to be elected by the agriculturists only from the respective talukas;

(b) Two female agriculturists members, one each from the North Goa District and the South Goa District, to be elected by the agriculturists only in the manner prescribed;

(c) Two traders holding “A” or “B” class licence to be elected from amongst traders of all classes; one from North Goa District and another from South Goa District;

(d) One Chairman of a Co-operative Society registered in the State of Goa, having a valid licence from the Marketing Board, doing the business of notified agricultural produce in the market area, to be elected from amongst the Chairman of Co-operative Societies;

(e) Two members to be nominated by the Government, one being from the office of the Registrar of Co-operative Societies, Government of Goa, and the other being from the Department of Agriculture, Government of Goa, to function during the term of the Marketing Board;

(f) President of the Goa Cashew Manufacturers Association;

(g) The Secretary of the Marketing Board, to function during the term of the Marketing Board.

(2) Notwithstanding anything contained in sub-section (1) or any other provisions of this Act,

when the Marketing Board is constituted for the first time, all the members, the Chairman and the Vice-Chairman thereof shall be nominated by the Government:

Provided that the Chairman and the Vice-Chairman shall be nominated from amongst the agriculturists from the State of Goa.

Section 19. *Casual Vacancies.*— Subject to the provisions of sub-section (2) of section 13, in the event of any vacancy occurring on account of death, resignation or removal of a member or otherwise, the Chairman shall forthwith communicate the occurrence of such vacancy to the State Marketing Officer and the vacancy shall be filled in as soon as convenient as may be, by the election or by appointment or by nomination of a person thereto, who shall hold office so long only as the member in whose place is elected or appointed or nominated would have held it, if the vacancy had not occurred:

Provided that, if the vacancy occurs within six months preceding the date on which the term of office of the member expires, the vacancy shall, unless the Government directs otherwise, not be filled:

Provided further that the person so appointed by the Government shall hold such office during the pleasure of the Government.

Section 20. *Election of Chairman and Vice-Chairman.*— The meeting of the Marketing Board shall be presided over by the Chairman and in the absence of the Chairman, by the Vice-Chairman. The Chairman and the Vice-Chairman shall be elected by the members of the marketing Board, excluding the Secretary of the Marketing Board and the Government nominees. Only the members as mentioned in clauses (a), (b) and (d) of sub-section (1) of section 12 shall be eligible to contest the elections for the post of the Chairman or the Vice-Chairman.

LA/LEGN/2016/1192

The following bill which was introduced in the Legislative Assembly of the State of Goa on 8th August, 2016 is hereby published for general information in pursuance of Rule – 138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

The Goa Value Added Tax (Ninth Amendment) Bill, 2016

(Bill No. 25 of 2016)

A

BILL

further to amend the Goa Value Added Tax Act, 2005 (Goa Act 9 of 2005).

BE it enacted by the Legislative Assembly of Goa, in the Sixty-seventh Year of the Republic of India, as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Value Added Tax (Ninth Amendment) Act, 2016.

(2) It shall come into force at once.

2. *Amendment of section 3.*— In section 3 of the Goa Value Added Tax Act, 2005 (Goa Act 9 of 2005) (hereinafter referred to as the “principal Act”), in sub-section (4),—

(i) in clause (ii), for the letters and figures “Rs. 1,00,000/-”, the letters and figures “Rs. 5,00,000/-” shall be substituted;

(ii) in clause (iii), for the letters and figures “Rs. 5,00,000/-”, the letters and figures “Rs. 10,00,000/-” shall be substituted.

3. *Amendment of section 10.*— In section 10 of the principal Act, for sub-section (2), the following sub-sections shall be substituted, namely:—

“(2) After adjustment under sub-section (1), the excess input tax credit of a registered dealer other than those covered under sub-section (3), shall be carried over as an input tax credit to the subsequent period upto the end of the respective financial year and if there is any unadjusted input tax credit thereof, the same shall be refunded in the prescribed manner within a period of three months from the date of filing of the last quarterly return of the respective financial year or from the date

of filing an application by the dealer claiming such refund, whichever is later.

(2A) Any dealer, who has applied for carry forward of excess input tax credit after coming into force of the Goa Value Added Tax (Sixth Amendment) Act, 2012 and has been allowed to carry forward the same by an order in writing, may instead of availing the benefit of carry forward, claim refund of the amount allowed to be carried forward under sub-section (2) by making an application within six months from the date of coming into force of the Goa Value Added Tax (Ninth Amendment) Act, 2016.

(2B) The dealer who has not applied for carry forward of excess input tax credit after coming into force of the Goa Value Added Tax (Sixth Amendment) Act, 2012, he also may claim refund under sub-section (2) by making an application within six months from the date of coming into force of the Goa Value Added Tax (Ninth Amendment) Act, 2016 and he shall be assessed for the respective financial year and the amount of the excess input tax credit as may be determined in the assessment shall be allowed to be refunded to him.

(2C) The dealer who is claiming excess input tax credit at the end of financial year but does not apply for refund, he shall be assessed for the respective financial year and such amount of the excess input tax credit as may be determined in the said assessment shall be allowed to be carried forward.”.

4. *Amendment of section 35.*— In section 35 of the principal Act, for sub-section (4), the following sub-sections shall be substituted, namely:-

“(4) No appeal under sub-section (2) shall be entertained by the Appellate Authority, unless such appeal is accompanied by a satisfactory proof of the payment of whole

of the undisputed amount of tax, interest and penalty and ten percent of the disputed amount of tax, interest and penalty, that may be due:

(4A) The provisions of sub-section (4) shall be applicable also to any appeal pending before the Appellate Authority on the date of coming into force of the Goa Value Added Tax (Ninth Amendment) Act, 2016 and the appellant shall make payment as aforesaid within a period of 120 days from such commencement, failing which, such appeal shall stand abated.”.

Statement of Objects and Reasons

The Bill seeks to amend clauses (ii) and (iii) of sub-section (4) of section 3 of the Goa Value Added Tax Act, 2005 (Goa Act 9 of 2005) (hereinafter referred to as the “said Act”), so as to enhance the threshold limit of turnover for registration from rupees one lakh to rupees five lakhs in case of importer/manufacturer and from rupees five lakhs to rupees ten lakhs in cases other than importer/manufacturer, non-resident dealer and casual trader.

The Bill further seeks to amend section 10 of the said Act so as to allow refund of excess input tax credit at the end of the financial year.

The Bill also seeks to substitute sub-section (4) of section 35 of the said Act so as to make the appellants to deposit 10% of the disputed dues alongwith undisputed dues, while preferring an appeal with Appellate Authority.

This Bill seeks to achieve the above objects.

Financial Memorandum

The proposed amendment to sub-section (4) of section 3, would push out small time dealers from the tax net/coverage. There are approximately 2000 dealers who remit approximately Rs. 400 lakhs to Rs. 500 lakhs annually.

However, in the proposed amendment to sub-section (4) of section 35, it is expected

that during the first appeal itself, the dealers would be depositing 10% of the disputed dues and continuing the pending appeals. It is expected that recovery of tax dues and deposits, would be around Rs. 5000 lakhs during the year.

Memorandum regarding delegated legislation

Clause 3 of the Bill empowers the Government to frame rules specifying the manner in which the excess input tax credit shall be refunded to the dealer.

This delegation is of normal character.

Assembly Hall, SHRI LAXMIKANT PARSEKAR
Porvorim, Goa. Chief Minister/Finance Minister.
5th August, 2016.

Assembly Hall, N. B. SUBHEDAR
Porvorim, Goa. Secretary to the Legislative
5th August, 2016. Assembly of Goa.

Governor's Recommendation under Article 207
of the Constitution of India

In pursuance of Article 207 of the Constitution of India, I, Mridula Sinha, the Governor of Goa hereby recommend to the Legislative Assembly of Goa, the introduction and consideration of the Goa Value Added Tax (Ninth Amendment) Bill, 2016.

RAJ BHAVAN MRIDULA SINHA
Date: 04-08-2016. Governor of Goa.

ANNEXURE

Bill No. 25 of 2016

Extract of the Goa Value Added Tax Act, 2005 (Goa Act 9 of 2005)

3. Incidence of Tax.—

(1) Every dealer, whose turnover of all sales made during—

(i) the year ending on the 31st day of March of the year preceding the year in which this Act is enforced; or

(ii) the year commencing on the 1st day of April of the year during which this Act is enforced;

has exceeded or exceeds the relevant limit specified in sub-section (4), of this section shall until such liability ceases under sub-section (3), be liable to pay tax under this Act on his turnover of sales, made, on or after the appointed day:

Provided that, a dealer to whom clause (i) of sub-section (1) does not apply but clause (ii) applies and whose turnover of all sales first exceeds the relevant limit specified in sub-section (4) of this section after the appointed day shall not be liable to pay tax in respect of sales which take place upto the time when his turnover of sales, as computed from the first day of the year during which this Act is enforced, does not exceed the relevant limit applicable to him under sub-section (4).

(2) Every dealer whose turnover, of all sales made, during any year commencing on the first day of the year, being a year subsequent to the years mentioned in sub-section (1), first exceeds the relevant limit specified in sub-section (4), shall, until such liability ceases under sub-section (3), be liable to pay tax under this Act with effect from the said date:

Provided that, a dealer shall not be liable to pay tax in respect of such sales as take place during the period commencing on the first day of the said year upto the time when his turnover of sales does not exceed the relevant limit applicable to him under sub-section (4).

(3) Every dealer who has become liable to pay tax under this Act, shall continue to be so liable until his registration is duly cancelled; and upon such cancellation his liability to pay tax, shall cease other than tax, already levied or leviable:

Provided that, if the dealer becomes liable to pay tax again in the same year in which he ceased to be liable as aforesaid, then in respect of such sales as take place during the period commencing on the date of the cessation of liability to tax and upto the time when his turnover of sales does not exceed the relevant limit applicable to him under sub-section (4), no tax shall be payable by him.

(4) For the purposes of this section, the limits of turnover shall be as follows—

- | | |
|---|---|
| (i) Limit of turnover of Rs. 10000/- | In case of Non-resident dealer and casual trader. |
| (ii) Limit of turnover of Rs. 1,00,000/- | In case of importer/ /manufacturer. |
| (iii) Limit of turnover of Rs. 5,00,000/- | In any other case. |

(5) For the purpose of calculating the limit of turnover for liability to tax,—

(a) except as otherwise expressly provided, the turnover of all sales shall be taken, whether such sales are taxable or not or of taxable goods or not;

(b) the turnover shall include all sales made by the dealer on his own account, and also on behalf of his principals whether disclosed or not;

(c) in the case of an auctioneer, in addition to the turnover, if any, referred to in clauses (a) and (b), the turnover shall also include the price of the goods auctioned by him for his principal, whether the offer of the intending purchaser is accepted by him or by the principal or a nominee of the principal, if the price of such goods is received by him on behalf of his principal;

(d) in the case of a manager or agent of a non-resident dealer, in addition to the turnover, if any, referred to in clauses (a), (b) or (c), the turnover shall also include the sales of the non-resident dealer effected in the State.

(6) Notwithstanding anything contained in any contract or any law for the time being in force, but subject to the provisions of this Act, any person covered by sub-clauses (a), (b) and (c) of clause (k) of section 2 shall be liable to pay tax under this Act, whether or not the principal is a dealer and whether or not such principal is liable to pay tax under this section and whether or not the principals are disclosed.

(7) Liability of dealers registered under the Central Sales Tax Act, 1956 (Central Act 74 of 1956).— Every dealer shall, notwithstanding that he is not liable to pay tax under any of sub-sections

(1) to (3) of section 3, be liable to pay tax under this Act so long as he is registered under the Central Sales Tax Act, 1956 (Central Act 74 of 1956), on all sales effected by him or on his behalf within Goa, on or after the date of his liability or the date of his registration, whichever is earlier, under the Central Sales Tax Act, 1956 (Central Act 74 of 1956):

Provided that no tax shall be payable in respect of sales in any period prior to commencement of liability under this Act.

(8) Liability of exporters and dealers effecting stock transfers outside the State:—Every dealer exporting any goods outside India or effecting stock transfers to any States and Union Territories within India, shall, notwithstanding that he is not liable to pay tax under any of sub-sections (1) to (3) of section 3, be liable to pay tax under this Act on all taxable sales effected within the State.

10. Input Tax Credit Exceeding Tax Liability.—

(1) Subject to the provisions of sub-section (2), if the input tax credit of a registered dealer, determined under section 9 of this Act for a period exceeds the tax liability for that period, the excess credit shall be set off against any outstanding tax, penalty or interest under this Act or earlier law.

(2) After adjustment under sub-section (1), the excess input tax credit of a registered dealer other than those covered under sub-section (3) shall be carried over as an input tax credit to the subsequent period upto the end of next financial year and if there is any unadjusted input tax credit at the end of the second year, the same shall be refunded in the prescribed manner within three months from the date of filing of application claiming the refund.

(3) In case of exporter selling goods outside the territory of India, the excess input tax credit, if any, admissible as per provision of this Act, proportionate to the goods exported and carried over at the end of any quarter shall be refunded in the prescribed manner within 3 months from the date of filing of application claiming the refund.

(4) Notwithstanding anything contained in sub-section (2), the Government may allow, carry forward of excess input tax credit, if any, to such shorter period and grant refund of unadjusted

portion thereof in respect of such goods to such registered dealer on such conditions and at such proportion as may be specified by the Notification in the Official Gazette.

35. *Appeals.*— (1) Any person objecting to an order affecting him passed under the provisions of this Act by an authority may appeal to Appellate Authority as may be prescribed within sixty days from the date of receipt of order by him.

(2) Where the Appellate Authority is satisfied that the person has reasonable cause for not preferring an appeal within the time specified in sub-section (1), he may accept an appeal, provided it is made within one year, from the date of receipt of order by him.

(3) The appeal shall be in the prescribed form and shall specify in detail the grounds upon which it is made.

(4) In case of an appeal against an assessment or any order raising demand against the person, the Appellate Authority shall consider it only if the person has paid the tax which is not disputed by him.

(5) The appellant shall serve a copy of the appeal memo to the authority against whose order the appeal is filed.

(6) After considering the appeal and after affording an opportunity of hearing, the Appellate Authority may allow it in whole or part and amend the assessment or remand it for fresh disposal or dismiss the appeal or enhance the assessment or penalty or other amount:

Provided that before making an enhancement the appellant shall be given an opportunity of being heard on the proposal of enhancement.

(7) The Appellate Authority shall serve the appellant, with an order in writing, of the appeal decision, setting forth the reasons for the decision.

**Extract of the Goa Value Added Tax
(Amendment) Act, 2005
(Goa Act 15 of 2005)**

5. *Amendment of section 10.*— In section 10 of the principal Act, in sub-section (1), after the expression “penalty or interest under this Act or earlier law”, the expression “or under the Goa Tax on Entry of Goods Act, 2000 (Act 14 of 2000) or under the Central Sales Tax Act, 1956 (Central Act 74 of 1956)” shall be added.

**Extract of the Goa Value Added Tax
(Second Amendment) Act, 2006
(Goa Act 18 of 2006)**

5. *Amendment of section 10.*— In section 10 of the principal Act, for sub-section (2), the following sub-section shall be substituted, namely:—

“(2) After adjustment under sub-section (1), the excess input tax credit of a registered dealer other than those covered under sub-section (3) shall be carried over as an input tax credit to the subsequent period upto the end of the respective financial year and if there is any unadjusted input tax credit thereof, the same shall be refunded in the prescribed manner within three months, from the date of filing of the last quarterly return of the respective financial year or from the date of filing an application by the dealer claiming such refund, whichever is later.”

**Extract of the Goa Value Added Tax
(Fifth Amendment) Act, 2011
(Goa Act 2 of 2011)**

2. *Amendment of section 3.*— In section 3 of the Goa Value Added Tax Act, 2005 (Goa Act 9 of 2005) (hereinafter referred to as the “principal Act”), after sub-section (8), the following sub-section shall be inserted, namely:—

“(9) *Special liability of person organizing or conducting exhibition.*— Any person organizing or conducting exhibition either for sale of goods or for promoting goods for sale, by providing stalls or space to other persons or dealers under the banner of specific name and style or under a common roof, for a specific period, shall, notwithstanding that such participating persons or dealers are individually liable to pay tax under any of the provisions of this section, be liable to pay tax on all taxable sales effected by such participating persons or dealers during such exhibition.”.

**Extract of the Goa Value Added Tax
(Sixth Amendment) Act, 2012
(Goa Act 16 of 2012)**

4. *Amendment of section 10.*— In section 10 of the principal Act,—

(i) for sub-section (2), the following sub-section shall be substituted, namely:—

“(2) After adjustment under sub-section (1), the excess input tax credit of a registered

dealer, other than those covered under sub-section (3), shall be carried over as an input tax credit to the subsequent period:

Provided that in case input tax credit at the end of the last quarter of the year exceeds rupees two lakhs, the dealer shall file an application in the prescribed form within three months to carry forward input tax credit and the Commissioner shall decide the same within three months from the date of filing of such application and thereafter the excess input tax credit, if any, shall be allowed to be carried forward accordingly:

Provided further that if any assessment, is done for the period then only the excess input tax credit as determined in the said assessment shall be allowed to be carried forward.”;

**Extract of the Goa Value Added Tax
(Seventh Amendment) Act, 2013
(Goa Act 12 of 2013)**

3. *Amendment of section 3.*— In section 3 of the principal Act, for sub-section (9), the following sub-section shall be substituted, namely:—

“(9) Special liability of person organizing or conducting exhibition or event or programme.— Any person organizing or conducting exhibition or event or programme either for sale of goods or for promoting goods for sale, by providing stalls or space to other persons or dealers under the banner of specific name or otherwise or under a common roof or otherwise shall be liable to pay tax on all taxable sales effected by all such persons or dealers participating in such exhibition or event or programme other than the dealers who are already registered under this Act and self help groups participating in such exhibition or event or programme:

Provided that no person shall be allowed to carry on such exhibition or event or programme without obtaining prior written permission of the Commissioner as per the procedure prescribed and payment in advance of estimated tax. The advance estimated tax shall be adjusted towards the output tax liability payable by the person organizing or conducting exhibition or event or programme so conducted:

Provided further that the owner of the property where the exhibition or event or programme is to be held, shall be jointly and

severally liable to pay tax that may become due on sale of goods made in such exhibition or event or programme if he fails to inform the Commissioner about renting/ leasing/letting out of his property, whether residential or commercial, or any open space, alongwith the details of dealer or person conducting the exhibition or event or programme as well as the conditions subject to which the said property is rented/leased/let out and any other relevant information.

Explanation:—

(1) Self Help Groups means Self Help Groups registered with the Rural Development Agency or with the Registrar of Co-operative Society or any other Government Department as Self Help Groups within the State of Goa and are selling goods manufactured by themselves.

(2) For the purpose of calculation of tax to be paid in advance, the stalls occupied by dealers holding valid registration under this Act, and the self help groups shall not be included while making such calculation, provided prior permission of the Commissioner is obtained by them for their participation in such exhibitions, event, or programme in a prescribed manner”.

15. *Amendment of section 35.*— In section 35 of the principal Act, for sub-section (6), the following sub-section shall be substituted, namely:—

“(6) After considering the appeal and after affording an opportunity of hearing, the Appellate Authority may allow it in whole or part and amend the assessment or enhance the assessment or levy tax and/ or penalty and/ or other amount or remand it for fresh disposal or dismiss the appeal:

Provided that before making a levy of tax, penalty or other amount and/or enhancement of assessment as the case may be, the appellant shall be given an opportunity of being heard.”.

—————
LA/LEGN/2016/1193

The following bill which was introduced in the Legislative Assembly of the State of Goa on 8th August, 2016 is hereby published for general information in pursuance of Rule – 138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

The Goa (Recovery of Arrears of Tax
through Settlement) (Amendment)
Bill, 2016

(Bill No. 26 of 2016)

A

BILL

further to amend the Goa (Recovery of Arrears of Tax through Settlement) Act, 2009 (Goa Act 17 of 2009).

Be it enacted by the Legislative Assembly of Goa in the Sixty-seventh Year of the Republic of India, as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa (Recovery of Arrears of Tax through Settlement) (Amendment) Act, 2016.

(2) It shall come into force at once.

2. *Amendment of long title.*— In the Goa (Recovery of Arrears of Tax through Settlement) Act, 2009 (Goa Act 17 of 2009) (hereinafter referred to as the “principal Act”), in the long title,—

(i) for the expression “31st of March, 2005”, the expression “31st day of March, 2015” shall be substituted;

(ii) for the expression “Luxury Tax Law and Entry Tax Law”, the expression Value Added Tax Law, Entertainment Tax Law, Luxury Tax Law and Entry Tax Law” shall be substituted.

3. *Amendment of section 2.*— In section 2 of the principal Act,—

(i) in clause (a), for the word “hotelier”, the words “hotelier or proprietor” shall be substituted;

(ii) for clause (b), the following clause shall be substituted, namely:—

“(b) “arrears of tax, penalty and interest” means,—

(i) tax, by whatever name called, payable by a dealer or a hotelier or a

proprietor upon assessment or otherwise under the relevant Act in respect of the specified period; or

(ii) penalty imposed upon a dealer or a hotelier or a proprietor, for default in furnishing returns and/or payment of tax, or for any other offence, in accordance with the provisions of relevant Act, in respect of the specified period; or

(iii) interest payable by a dealer or a hotelier or a proprietor for default in payment of tax or delay in payment of tax under the relevant Act, in respect of the specified period;”;

(iii) in clause (d), for the expression “Goa Sales Tax Act, 1964 (Act 4 of 1964)”, the expression “Goa Sales Tax Act, 1964 (Act 4 of 1964) or the Goa Value Added Tax Act, 2005 (Goa Act 9 of 2005)” shall be substituted;

(iv) after clause (e), the following clause shall be inserted, namely:—

“(ee) “Form” means a Form appended to this Act;”;

(v) after clause (h), the following clause shall be inserted, namely:—

“(hh) “proprietor” means the proprietor defined in section 2(q) of the Goa Entertainment Tax Act, 1964 (Act 2 of 1964) or section 2(ii) of the Goa Tax on Luxuries Act, 1988 (Goa Act 17 of 1988), as the case may be;”;

(vi) for clause (i), the following clause shall be substituted, namely:—

“(i) “relevant Act” means,—

(a) the Central Sales Tax Act, 1956 (Central Act 74 of 1956); or

(b) the Goa Entertainment Tax Act, 1964 (Act 2 of 1964); or

(c) the Goa Sales Tax Act, 1964 (Act 4 of 1964); or

(d) the Goa Tax on Luxuries Act, 1988 (Goa Act 17 of 1988); or

(e) the Goa Tax on Entry of Goods Act, 2000 (Goa Act 14 of 2000); or

(f) the Goa Value Added Tax Act, 2005 (Goa Act 9 of 2005), and the rules framed or notifications issued thereunder;”;

(vii) in clause (j), for the expression “the financial year ending on 31st day of March, 2005”, the expression “31st day of March, 2015” shall be substituted.

4. *Substitution of section 4.*— For section 4 of the principal Act, the following section shall be substituted, namely:—

“4. *Eligibility for settlement.*— Subject to the other provisions of this Act, an applicant shall be eligible to make an application for settlement of his arrears of assessed tax, interest or penalty for the specified period in respect of which dispute is raised before an authority including the appellate authority or Court on or before the 31st day of March, 2016:

Provided that no application for settlement shall be entertained if the appellate or revisional authority or Court has remanded the case back to the assessing authority for fresh assessment and such assessment has not been completed as on 31st day of March, 2015:

Provided further that the cases already decided or settled before the commencement of the Goa (Recovery of Arrears of Tax through Settlement) (Amendment) Act, 2016, shall not be taken up.”.

5. *Amendment of section 5.*— In section 5 of the principal Act,—

(i) in sub-section (1), for the expression “in the Form specified in Part A of the Schedule hereto before expiry of three months, from the date of coming into force of this Act”, the expression “in Form I hereto

before expiry of three months, from the date of coming into force of the Goa (Recovery of Arrears of Tax through Settlement) (Amendment) Act, 2016” shall be substituted;

(ii) after sub-section (1), the following sub-sections shall be inserted, namely:—

“(1A) The application under sub-section (1) shall be made through electronic system, by using a system code availed from the appropriate assessing authority. The applicant shall enter the details in accordance with the instructions that are applicable for making such application through electronic system.

(1B) Upon making application through the electronic system, the system shall generate an acknowledgement, the printed copy of which shall be signed and verified by the applicant and submitted to the designated authority by such date as may be mentioned in the acknowledgement, failing which, the application shall be summarily rejected.”.

6. *Amendment of section 6.*— In section 6 of the principal Act, for sub-section (2), the following sub-section shall be substituted, namely:—

“(2) After the amount payable by the applicant is determined under sub-section (1) by the designated authority, the designated authority shall inform the same to the applicant in Form II hereto. The applicant shall pay the amount by using e-challan within twenty days from the date of receipt of the intimation and submit a self-attested photocopy of such challan to the designated authority:

Provided that an applicant being a dealer, whose appeal is pending before the tribunal as on the 31st day of March, 2016 and who has paid fifty percent of the disputed amount of tax, interest and penalty in accordance with

sub-section (2) of section 36 of the Goa Value Added Tax Act, 2005 (Goa Act 9 of 2005), shall pay the balance amount, if any, by using e-challan and submit to the designated authority a self-attested photocopy of such challan in proof of payment of the amount as determined and intimated by the designated authority in Form II:

Provided further that, where the designated authority is satisfied that the applicant being a dealer, whose appeal is pending before the tribunal as on the 31st day of March, 2016, has paid fifty per cent of the disputed amount of tax, interest and penalty in accordance with sub-section (2) of section 36 of the Goa Value Added Tax Act, 2005 (Goa Act 9 of 2005) and that there is no further amount payable for the purpose of settlement at the rates specified in section 7, he shall issue a certificate of settlement in Form III hereto to the applicant and thereupon, such applicant shall be discharged from his liability to make payment of the balance amount of arrears of tax, interest and penalty to which he was liable before settlement.”.

7. *Substitution of section 7.*— For section 7 of the principal Act, the following section shall be substituted, namely:—

“7. *Rate applicable in determining the amount payable.*— Where the arrears of tax, interest and penalty have arisen on account of any order of assessment relating to the specified period which is disputed either in review or in appeal or in revision or in any other suit or in Writ Petition filed before any Court of Law, on or before the 31st day of March, 2016, such arrears shall be settled at the rate of 50% of the disputed amount.”.

8. *Amendment of section 8.*— In section 8 of the principal Act, in sub-section (1), for the expression “in form as specified in Part C of the Schedule”, the words and figure “in Form III” shall be substituted.

9. *Substitution of Schedule.*— For the existing Schedule of the principal Act, the following forms shall be substituted, namely:—

“FORM I
Application for Settlement
(See section 5)

To,
The Designated Authority,

I _____ Proprietor/
/Partner/Karta/Managing Director/Director/
/Principal Officer/ duly authorized Officer/
/President/Secretary/legal heir/Successor/
/assignee or nominee/myself/on behalf of an
applicant, being eligible under section 4 of the Goa
(Recovery of Arrears of Tax through Settlement)
Act, 2009, hereby apply for settlement of arrears of
tax, penalty and interest.

I furnish hereunder the requisite particulars:—

(1) Reference to Certificate of
Registration:

- | | |
|-------------------------------------|---|
| (i) VAT TIN | : |
| (ii) CST No. | : |
| (iii) Entry Tax Regn. No. | : |
| (iv) Luxury Tax Regn. No. | : |
| (v) Pre-VAT Sales Tax No. | : |
| (vi) Entertainment Tax
Regn. No. | : |

(2) Name of the applicant :

(3) Status of the applicant :

(4) Name and Style of the business :
or

The trade name of the business :

(5) Address of the Business.-

- | | |
|---------------------------------|---|
| (i) Principal place of business | : |
| (ii) Factory premises | : |

(6) Present postal address, if it is
different from (5) above :

(7) Period in respect of assessment of tax, interest and penalty, to which the application relates (Enclose copy of the assess- ment order for reference.)	:	01-04- __ to 31-03- ____ Whether it is Sales Tax/ CST/Luxury Tax/ /Entertain- ment Tax/ Entry Tax/ /Vat.-
--	---	--

(8) Arrears of tax applied for Settlement:

(i) Tax in arrears : _____
 (ii) Interest in arrears : _____
 (iii) Penalty in arrears : _____
 Total : _____

(9) (i) the reference of the appeal/ petition filed (Please enclose a copy thereof). :

(ii) Authority with which it is pending either for hearing or decision. :

(iii) In case the appeal is pending before Tribunal, whether fifty per cent of the disputed amount is already paid? If yes, furnish details (Please enclose a copy/ies of challan). :

(iv) Date of presentation of appeal/review/revision, so pending. :

FORM II

Intimation to the applicant by the designated authority

[See section 6(2)]

No. _____

To,

Partner/Proprietor/Manager/Director
 of _____
 Address: _____

Registration No. _____ under the relevant Act.

Acknowledgement No. _____

Arrears in respect of period of assessment
 01-04- _____ to 31-03- _____

Sir/Madam,

With reference to your application bearing acknowledgement No. _____ dated _____, for the settlement of arrears of tax, interest and penalty relating to the period _____ received in my office on _____, you are hereby informed that the amount payable for settlement

of arrears of tax and/or interest has been determined by me under sub-section (1) of section 6 of the Goa (Recovery of Arrears of Tax through Settlement) Act, 2009, as follows:

(i) Arrears of tax in dispute Rs. _____
 (ii) Arrears of interest Rs. _____
 (iii) Arrears of penalty Rs. _____

(iv) Amount of tax and interest determined payable for settlement:-

Tax Rs. _____
 Interest Rs. _____
 Penalty Rs. _____
 Total Rs. _____

(Rupees _____ only)

You are required to pay the amount by generating an e-challan within twenty days from the receipt of this intimation and furnish a self-attested photocopy of the receipted copy thereof to this office.

Date: _____ Signature _____

(Seal) _____ Designation _____

(Appropriate designated authority)

FORM III

Certificate of settlement issued by the designated authority

[See section 8(1)]

On the basis of the application made by _____ (name of the applicant), who is carrying on/used to carry on the business in the trade, name of _____ at _____ (address) and who is/was holding R. C. (Local/Central/Luxury/Entry/Entertainment) No. _____ and TIN No. _____ under the _____ (name of the relevant Act), it is certified that the Arrears of tax, interest and penalty arisen for the assessment period _____ which was pending in review/appeal/revision before _____ (name of the appropriate review/appellate/revisional authority), being review/appeal/revision case No. _____, has been settled under sub-section (1) of section 8 of the Goa (Recovery of Arrears of Tax through Settlement) Act, 2009.

The applicant on the above application has paid a net amount of Rs..... as final settlement, which has been accepted.

ISSUED this _____ day of _____.

Signature

(Seal)

Designation

(Appropriate designated authority)

Statement of Objects and Reasons

The Department has completed assessments under the Goa Entertainment Tax Act, 1964, the Goa Tax on Luxuries Act, 1988, the Central Sales Tax Act, 1956, the Goa Tax on Entry of Goods Act, 2000 and the Goa Value Added Tax Act, 2005. While doing so interest and penalty is levied as per the provisions of the relevant Acts. Many of these assessments have resulted in dues recoverable from the dealers/hoteliers/proprietors on account of reasons like ex-parte assessments, want of statutory declaration forms and certificates, etc. and as such appeal/review/revision petitions are preferred and pending before the Authorities/Court.

The economy is reeling under the slowdown and the business establishments in Goa are facing the adverse impact of the same. Also, the State is expecting a new legislation on Goods and Service Tax. Under such scenario, it is desired to have a least number of disputed cases of arrears.

It was also proposed during the presentation of Budget for the year 2016-17, that a one-time settlement Scheme will be introduced, so as to reduce the pendency of litigations and the arrears. Under settlement Scheme a dealer, whose assessment has been completed for any financial year upto 2014-15 and who has raised a dispute against such assessment on or before 31-03-2016, will have to pay 50% of the disputed amount and withdraw the appeals/petitions before Appellate/Review/Revisional Authorities/Court. This will in turn fetch a sizeable revenue to the Government on such settlement.

This Bill seeks to achieve the above objects.

Financial Memorandum

Since, this is a settlement scheme of various outstanding dues, before various Appellate authorities and/or Court of Law, which was the revenue earned to the Government and has remained stuck up in litigation; it is expected that the Government may be able to recover sizeable amount through this measure.

Memorandum Regarding Delegated Legislation

No delegated legislation is envisaged in this Bill.

Assembly Hall, SHRI LAXMIKANT PARSEKAR
Porvorim, Goa. Chief Minister/
5th August, 2016. /Finance Minister.

Assembly Hall, N. B. SUBHEDAR
Porvorim, Goa. Secretary to the Legislative
5th August, 2016. Assembly of Goa.

Governor's Recommendation under Article 207 of the Constitution of India

In pursuance of Article 207 of the Constitution of India, I, Mridula Sinha, the Governor of Goa, hereby recommend to the Legislative Assembly of Goa, the introduction and consideration of the Goa (Recovery of Arrears of Tax through Settlement) (Amendment) Bill, 2016.

RAJ BHAVAN MRIDULA SINHA
Date: 04-08-2016. Governor of Goa.

ANNEXURE

Bill No. 26 of 2016

Extract of the Goa (Recovery of Arrears of Tax through Settlement) Act, 2009 (Goa Act 17 of 2009).

The Goa (Recovery of Arrears of Tax through Settlement) Act, 2009
(Goa Act 17 of 2009) [20-8-2009]

AN

ACT

to provide for the expeditious enforcement of payment of arrears of tax relating to the period upto 31st of March, 2005, under Sales Tax Law, Central Sales Tax Law, Luxury Tax Law and

Entry Tax Law, as in force in the State of Goa, by way of Settlement and matters connected therewith.

2. *Definitions.*— (1) In this Act, unless the context otherwise requires—

(a) “applicant” means an applicant referred to in section 5 and includes “dealer” or “hotelier,” his legal heir, successor, assignee, or nominee;

(b) “arrears of tax, penalty and interest” means,—

(i) tax, by whatever name called, payable by a dealer or a hotelier upon assessment or otherwise under the relevant Act in respect of the specified period; or

(ii) penalty imposed upon dealer or a hotelier, for the default in furnishing returns and/or payment of tax, in accordance with the provisions of the relevant Act, in respect of the specified period; or

(iii) interest payable by a dealer or a hotelier under the relevant Act for default in payment of tax or delay in payment of tax, beyond the specified time, in respect of the specified period;

(c) “Commissioner” means the Commissioner as referred to in the relevant Act”;

(d) “dealer” means the dealer defined in section 2 of the Goa Sales Tax Act, 1964 (Act 4 of 1964);

(e) “designated authority” means the authority specified in section 3;

(f) “Government” means the Government of Goa;

(g) “hotelier” means the hotelier defined in section 2 of the Goa Tax on Luxuries Act, 1988 (Act 17 of 1988);

(h) “prescribed” means prescribed by rules made under this Act;

(i) “relevant Act” means,—

(i) the Goa Sales Tax Act, 1964 (Act 4 of 1964); or

(ii) the Goa Tax on Luxuries Act, 1988 (Act 17 of 1988); or

(iii) the Central Sales Tax Act, 1956 (Central Act 74 of 1956); or

(iv) the Goa Tax on Entry of Goods Act, 2000 (Act 14 of 2000), the rules and the Notifications issued thereunder;

(j) “specified period” means any period of assessment upto the financial year ending on 31st day of March, 2005.

(2) Unless there is anything repugnant to the subject or context, all words and expressions used in this Act, which are not defined herein, but defined or used in the relevant Act, shall have the same meaning as respectively assigned to them in the relevant Act.

4. *Eligibility for settlement.*— (1) Subject to the other provisions of this Act, an applicant shall be eligible to make an application for settlement of his arrears of tax, interest or penalty for the specified period where the amount in arrears does not exceed Rs. 20.00 lacs (Rupees Twenty lacs) per assessment, whether such amount is disputed in appeal, revision or review filed under the relevant Act or not:

Provided that where any appellate or revisional authority or any Court has remanded the case back to the assessing authority for fresh assessment and such assessment has not been completed as on the date of commencement of this Act, such case shall not be taken for settlement under this Act.

5. *Application by the applicant.*— (1) An application for the purpose of section 4 shall be made by an applicant to the designated authority in the Form specified in Part A of the Schedule hereto before expiry of three months, from the date of coming into force of this Act or by such extended date as the Government may, by notification in the Official Gazette, specify.

(2) The designated authority shall verify the correctness of the particulars furnished in the application, with reference to the records available with the assessing authority or any other authority with whom such records may be available, as the case may be.

(3) An applicant shall make application separately for each year under each of the Acts specified in clause (i) of section 2.

6. *Determination of amount payable for settlement of arrears.*— (1) Where the designated authority is satisfied about the correctness of the particulars set forth in the application made by the applicant, he shall, by order in writing,

determine the amount payable by the applicant for the purpose of settlement of arrears of tax, interest and penalty at the rates specified in section 7:

Provided that the amount determined and payable by the applicant under this sub-section shall be rounded off to the nearest ten rupees.

(2) After the amount payable by the applicant is determined under sub-section (1) by the designated authority, the designated authority shall inform the same to the applicant in Form specified in Part B of the Schedule hereto. The applicant shall pay the amount within fifteen days from the date of receipt of the intimation, by challan, duly certified and issued by the designated authority, and submit a receipted copy thereof to the designated authority.

7. Rate applicable in determining the amount payable.— The amount payable by an applicant for settlement of arrears of tax, interest and penalty shall be as follows:—

(a) Where the arrears of tax have arisen on account of any order of assessment relating to the specified period and where no review or appeal or revision is preferred against the said order on the date of commencement of this Act, at the rate of 50% of the arrears of tax and interest only and any penalty levied thereof shall be waived fully.

(b) Where the arrears of tax, interest and penalty arisen on account of any order of assessment relating to the specified period is disputed, either in review or in appeal or in revision or in any other suit or in Writ Petition, filed before any Court of Law, on the date of commencement of this Act, such arrears shall be settled at the rate of 50% of the arrears of tax and 25% of the interest only and any penalty levied thereof shall be waived fully.

(c) Where the arrears are of post-assessment interest and penalty, the applicant shall pay 50% of the post-assessment interest only and the penalty levied thereof shall be waived fully.

(d) Where the arrears have arisen due to non receipt of declaration forms or declaration certificates, such as, Form 'C', Form 'D', Form 'E-I/E-II', Form 'F', Form 'H' or certificates of exemption in Form ST XI A or ST XI B, such arrears shall be settled at the rate of 50% of the arrears of tax only and the applicant shall be

discharged from his liability of payment towards interest and penalty to which he was liable before settlement.

8. Settlement of arrears and issue of certificate of settlement.— (1) The designated authority, on being satisfied that the applicant has paid the amount determined under section 6, shall issue a certificate of settlement in form as specified in Part C of the Schedule hereto, to the applicant and thereupon, such applicant shall be discharged from his liability to make payment of the balance amount of arrears of tax, interest and penalty to which he was liable before settlement.

(2) The designated authority may, by Order, for reasons to be recorded in writing, reject the application of the applicant on the ground that no question of settlement arises or rectify or amend the certificate of settlement issued under sub-section (1):

Provided that no order adversely affecting the applicant shall be passed without giving him a reasonable opportunity of being heard:

Provided further that an appeal against the order of the designated authority shall lie to the Commissioner and such appeal shall be made within a period of sixty days from the date of such order.

SCHEDULE

PART A

Application for Settlement

(See section 5)

To,

The Designated Authority,

I _____ Proprietor/
/Partner/Karta/Managing Director/Director/
/Principal Officer/duly authorized Officer/
/President/Secretary/legal heir/Successor/assignee
or nominee/myself/on behalf of an applicant, being
eligible under section 4 of the Goa (Recovery of
Arrears of Tax through Settlement) Act, 2009,
hereby apply for settlement of arrears of tax, penalty
and interest.

I furnish hereunder the requisite particulars:—

- (1) Name of the applicant :
- (2) Status of the applicant :
- (3) Name and Style of the business :
or
The trade name of the business :
- (4) Address of the Business.—
(i) Principal place of business :
(ii) Add. place of business :
(iii) Factory premises :
- (5) Present postal address, if it is different from (4) above :
- (6) Reference to Certificate of Registration:
(i) VAT TIN :
(ii) CST No. :
(iii) Entry Tax Regn. No. :
(iv) Luxury Tax Regn. No. :
(v) Pre-VAT Sales Tax No. :
- (7) Period in respect of assessment of tax, interest and penalty, to which the application relates (Enclose copy of the assessment order for reference.) : 01-04- ____ to 31-03- ____
Whether it is
Luxury Tax/
/Sales Tax/
/Entry Tax
- (8) Arrears of tax applied for Settlement:
(i) Tax in arrears :
(ii) Interest in arrears :
(iii) Penalty in arrears :
Total _____
- (9) (i) whether the arrears is disputed in appeal/
/revision/review :
(ii) If yes, please give the reference of the appeal/
/petition filed (Please enclose a copy thereof) :
(iii) Authority with which it is pending either for hearing or decision. :
- (iv) Date of presentation of appeal/review/revision, so pending. :
- (10) Whether any declaration in Form C or D, Form E-I/E-II or Form F or Form H or certificate in Form ST XI A or ST XI B is collected subsequent to assessment which helps to reduce the arrears of tax. If so, please file the said forms, Alongwith the statements. C Form Rs.
D Form Rs.
E-I Form Rs.
E-II Form Rs.
F Form Rs.
H Form Rs.
ST XI A Rs.
ST XI B Rs.

- (11) Net amount of arrears applied for settlement:
Tax Rs. _____
Interest Rs. _____
Penalty Rs. _____
Total Rs. _____

VERIFICATION

I/We solemnly declare that to the best of my/our knowledge and belief,—

(a) the particulars and information given in this application are correct and complete;

(b) the amount of arrears of tax, interest and penalty shown hereinabove are truly stated and relate to the relevant period as mentioned in this application; and

(c) I/ the applicant am/is not otherwise ineligible for making this application in terms of the provisions of said Act.

.....
(Signature)

.....
(Name of the Signatory in full)

.....
(Status in relation to the applicant)

PART B

Intimation to the applicant by the
designated authority

[See section 6(2)]

No. _____

To,

Partner/Proprietor/Manager/

/Director of _____

Address: _____

Registration No. _____
under the relevant Act.

Arrears in respect of period of assessment
01-04- _____ to 31-03- _____

Sir/Madam,

With reference to your application No. _____
in Part A dated _____, for the settlement
of arrears of tax, interest and penalty relating to the
period _____ received in my office on
_____, you are hereby informed that the
amount payable for settlement of arrears of tax and/
or interest has been determined by me under sub-
section (1) of section 6 of the Goa (Recovery of
Arrears of Tax through Settlement) Act, 2009, as
follows:

(i) Arrears of tax in dispute Rs. _____

(ii) Amount covered by Turnover Tax

furnishing of declaration

Forms C or D Forms

E-I/E-II Forms

F Forms

H Forms

Certificate in Form ST XI A

Certificate in Form ST XI B _____

Total _____

(iii) Net arrears of tax [(i) - (ii)] Rs. _____

(iv) Arrears of interest Rs. _____

(v) Arrears of penalty Rs. _____

(vi) Amount of tax and interest determined
payable for settlement:-

Tax Rs. _____

Interest Rs. _____

Total Rs. _____

(Rupees _____
only)

Certified challan is enclosed. You are required
to pay the amount by challan by _____ and
furnish receipted copy of the challan to this office.

Date: _____ Signature

(Seal) _____ Designation

(Appropriate designated authority)

PART C

**Certificate of settlement issued by the
designated authority**

[See section 8(1)]

On the basis of the application made by
_____ (name of the
applicant), who is carrying on/used to carry on the
business in the trade, name of _____
at _____ (address)
and who is/was holding R. C. (Local/Central/
Luxury/Entry) No. _____ and TIN No.
_____ under the _____
(name of the relevant Act), it is certified that:-

*(1) Arrears of tax, interest or penalty arisen on
account of the order of assessment for the period
from _____ to _____ against which, no
appeal is preferred upto _____ has been settled
under sub-section (1) of section 8 of the Settlement
of Appeals and Arrears under Goa Sales Tax, Central
Sales Tax, Goa Tax on Luxuries and Goa Tax on Entry
of Goods Act, 2009.

*(2) Arrears of tax, interest and penalty arisen
for the assessment period _____
which was pending in review/appeal/revision
before _____ (name of
the appropriate review/appellate/revisional

authority), being review/appeal/revision case No. _____, has been settled under sub-section (1) of section 8 of the Goa (Recovery of Arrears of Tax through Settlement) Act, 2009.

The applicant on the above application has paid a net amount of Rs. _____ as final settlement, which has been accepted.

ISSUED this _____ day of _____.

*Strike out whichever is not applicable.

N.B.: Endorse one copy of the settlement certificate in Part A, Part B, and Part C to the Commissioner.

Signature

Designation

(Seal)

(Appropriate designated authority)

—————

LA/LEGN/2016/1194

The following bill which was introduced in the Legislative Assembly of the State of Goa on 8th August, 2016 is hereby published for general information in pursuance of Rule – 138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

—————

The Goa Excise Duty (Amendment) Bill, 2016

(Bill No. 27 of 2016)

A

BILL

further to amend the Goa Excise Duty Act, 1964 (Act 5 of 1964).

Be it enacted by the Legislative Assembly of Goa in the Sixty-seventh Year of the Republic of India, as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Excise Duty (Amendment) Act, 2016.

(2) It shall come into force at once.

2. *Amendment of section 2.*— In section 2 of the Goa Excise Duty Act, 1964 (Act 5 of 1964) (hereinafter referred to as the “principal Act”),—

(i) clause (bb) shall be omitted;

(ii) after clause (h), the following clause shall be inserted, namely:— “(hh) “*feni*” means an alcoholic beverage produced by distillation of fermented coconut toddy or juice drawn from cashew fruit, within the State;”;

(iii) after clause (j), the following clause shall be inserted, namely:—

“(jj) “*heritage spirit*” means *feni* as defined under clause (hh);”;

(iv) in clause (l), for the word “*feny*”, the word “*feni*” shall be substituted.

3. *Amendment of section 10.*— In section 10 of the principal Act, for the expression “*possession*,” wherever it occurs, the expression “*possession, consumption*,” shall be substituted.

4. *Insertion of new section 10 B.*— After section 10A of the principal Act, the following section shall be inserted, namely:—

“10B. *Prohibition of consumption of liquor in ‘No Alcohol Consumption Zone’.*— (1) The Government may, by notification in the Official Gazette, declare a space, place or area, as ‘*No Alcohol Consumption Zone*’.

(2) No person shall consume liquor in No Alcohol Consumption Zone.

(3) Whoever contravenes the provisions of sub-section (2) shall be liable to pay a fine of a sum not less than rupees one thousand which may extend to rupees ten thousand.

(4) An offence committed under sub-section (2) may, before the institution of

the prosecution, be compounded by such Officer or may be authorized by the Government, on payment, for credit to the Government, for first such offence an amount not less than rupees one thousand and for any second and subsequent offences with an amount not less than rupees two thousand.”.

5. *Amendment of section 32.*— In section 32 of the principal Act,—

(i) in clause (b), after the words, “*Indian made foreign liquor*”, the words “*or heritage spirit*” shall be inserted;

(ii) in clause (c), after the words, “*foreign liquor*”, the words “*or Indian made foreign liquor or heritage spirit*” shall be inserted.

6. *Amendment of section 39A.*— In section 39A of the principal Act, in sub-section (1), for the words “*five thousand rupees*”, the words “*ten thousand rupees*” shall be substituted.

Statement of Objects and Reasons

“*Feni*” has achieved Goa’s first Geographical Indication (GI) and it is also the first liquor product in the Country to obtain GI status. A Certificate No. 105 dated 05th March, 2009 has been issued by Registrar of Geographical Indication under section 16(1) of the Geographical Indication of Goods (Registration and Protection) Act, 1999 (Central Act 48 of 1999) stating that “*feni*” has been registered on 19th December, 2007 in the Geographical Indication Registry, under Class 33 {Alcoholic beverages (except beers)} and given unique Identity No. 120.

Having considered multifaceted uses of “*feni*” in cultural traditions, cuisines, medicinal purpose, etc. which is synonymous to the Goan identity, Government of Goa has decided to separately define “*feni*” and establish its unique and well deserving status by declaring this liquor as the “*Heritage Spirit of Goa*”, with the objective of reaching out the

Geographical Indication benefits to the primary and traditional stakeholders, enabling trade in world markets and positioning it on equal footing to world famous “*Scotch whisky*” and “*tequila*”. The Bill accordingly seeks to insert new clauses (hh) and (jj) in section 2 of the Goa Excise Duty Act, 1964 (Act 5 of 1964) (hereinafter referred to as the “said Act”), so as to define the term “*feni*” and “*heritage spirit*”.

Government is receiving a number of complaints of consumption of liquor in open spaces, public places, beaches, public roads, State and National highways; mostly by visiting tourists. Upon consumption of liquor, the bottles and cans are strewn around causing environmental degradation and causing harm to pedestrians accessing the area. Such persons after being in an inebriated state, cause nuisance to general public, disturb the peaceful order in the area and cause local tension, thereby posing a law and order situation on regular basis.

The Bill, therefore, seeks to empower the Government to declare a space/place/area in the State of Goa as “No Alcohol Consumption Zone”.

The Bill also seeks to amend sub-section (1) of section 39A of the said Act so as to enhance the penalty specified therein from “*rupees five thousand*” to “*rupees ten thousand*”.

This Bill seeks to achieve the above objects.

Financial Memorandum

The Government expects an additional revenue generation to the extent of Rs. 25 lakhs on account of enhancing the sum specified for compounding of offence in sub-section (1) of section 39A of the said Act, as also by insertion of new section 10B therein.

Memorandum regarding delegated Legislation

Clause 4 of the Bill empowers the Government to issue notification for declaring

a space, place or area as 'No Alcohol Consumption Zone'.

These delegations are of normal character.

Assembly Hall, SHRI LAXMIKANT PARSEKAR
Porvorim, Goa. Chief Minister/
5th August, 2016. /Finance Minister.

Assembly Hall, N. B. SUBHEDAR
Porvorim, Goa. Secretary to the Legislative
5th August, 2016. Assembly of Goa.

Governor's Recommendation under Article 207
of the Constitution of India

In pursuance of Article 207 of the Constitution of India, I, Mridula Sinha, the Governor of Goa hereby recommend to the Legislative Assembly of Goa, the introduction and consideration of the Goa Excise Duty (Amendment) Bill, 2016

RAJ BHAVAN MRIDULA SINHA
Date: 04-08-2016. Governor of Goa.

ANNEXURE

BILL No. 27 of 2016

Extract of the Goa Excise Duty Act and Rules, 1964

Section 2. Definitions.— In this Act, unless the context otherwise requires,—

(bb) "cashew liquor" means liquor manufactured from cashew fruit in any part of India.

(l) "liquor" includes—

(a) spirits of wine, methylated or denatured spirits, spirits, wines, toddy, beer, feny and all liquids consisting of or containing alcohol, wash, other than medicinal and toilet preparations;

(b) any other intoxicating substance which the Government may, by notification declare to be liquor for the purpose of this Act;

Section 10: "Prohibition or restriction of import, export, transport, possession, manufacture or sale of excisable articles.— Notwithstanding anything contained in this Act, the Government may, if it considers necessary in the public interest so to do, by notification, prohibit or restrict the import, export, transport, possession, manufacture or sale of any or all excisable articles within the State or any part thereof.

Section 32: Penalty for certain acts by holders of licence for sale or manufacture.—

Whoever, being the holder of a licence for the sale or manufacture of liquor under this Act, or being in the employ of such holder acting on his behalf,—

(a) mixes or permits to be mixed with the liquor sold or manufactured by him any noxious drug or any foreign ingredient likely to add to its actual or apparent intoxicating quality or strength or to affect its purity;

(b) sells or exposes for sale foreign liquor or Indian made foreign liquor which he knows or has reasons to believe to be country liquor;

(c) marks any bottle or its corks, or any case, package or other receptacle containing liquor manufactured from rectified spirit or country liquor with the intention of causing it to be believed that such bottle, case, package or other receptacle contains foreign liquor, shall, on conviction before a Magistrate, be punished for each such offence with fine which may extend to ten thousand rupees or with imprisonment which may extend to six months or with both.

Section 39A: Power of Commissioner to compound offences.— (1) Subject to such conditions, if any, as may be prescribed, the Commissioner may accept from any person alleged to have committed an offence under this Act or under any rules made thereunder other than an offence under section 34 or an offence relating to intoxicating drugs or opium as defined in clause (kkk) and (oo) of section 2, either before or after the commencement of any proceedings against such persons in respect of such offence, by way of composition for such offence, a sum not exceeding five thousand rupees.

(2) When compounding of an offence is accepted the power to confiscate the goods seized

under this Act in respect of such offence shall be vested in the Commissioner.

(3) On payment in full or such sum as may be determined by the Commissioner under sub-section (1),—

(a) no proceedings shall be commenced against such person aforesaid; and

(b) if any proceedings have been already commenced against such person as aforesaid, such proceedings shall not be further proceeded with.

LA/LEGN/2016/1195

The following bill which was introduced in the Legislative Assembly of the State of Goa on 8th August, 2016 is hereby published for general information in pursuance of Rule - 138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

The Goa Staff Selection Commission
Bill, 2016

(Bill No. 28 of 2016)

A
BILL

to provide for constitution of Goa Staff Selection Commission for the purpose of conducting examinations and selection of candidates for appointments to the subordinate services/posts in the Government Departments, organizations and autonomous bodies established/constituted by the Government and Semi-Government Organizations etc. and also to provide the procedure to be followed by the Goa Staff Selection Commission, its functions and for matters connected therewith or incidental thereto.

BE it enacted by the Legislative Assembly of Goa in the Sixty-seventh Year of the Republic of India, as follows:—

1. *Short title, extent and commencement.*—

(1) This Act may be called the Goa Staff Selection Commission Act, 2016.

(2) It shall extend to the whole of the State of Goa.

(3) It shall come into force on such date, as the Government may, by notification in the Official Gazette, appoint.

2. *Definitions.*— In this Act, unless the context otherwise requires,—

(a) “Commission” means the Goa Staff Selection Commission constituted under section 3;

(b) “Chairperson” means the Chairperson of the Commission;

(c) “direct recruitment” means the method of recruitment as provided under the rules regulating the recruitment to the subordinate services/posts;

(d) “Governor” means the Governor of the State of Goa;

(e) “Government” means the Government of Goa;

(f) “member” means a member of the Commission;

(g) “notification” means a notification published in the Official Gazette of the Government;

(h) “Official Gazette” means the Official Gazette of the Government of Goa;

(i) “prescribed” means prescribed by rules made under this Act;

(j) “regulations” means regulations made by the Commission under section 18 of this Act;

(k) “Secretary” means the Secretary of the Commission;

(l) “State” means the State of Goa;

(m) “subordinate services/posts” means all Group “C” and Group “D” posts in the Government Departments, organizations and autonomous bodies established/constituted by the Government and Semi-

-Government Organizations and includes such other services/posts as may be notified by the Government to be subordinate services/posts, but shall not include the tenure posts which are created for the Office of the Chief Minister/Minister, Leader of Opposition, Advocate General and all other tenure posts wherein the Government makes appointments.

3. *Constitution of the Commission.*— (1) The Government shall, by notification in the Official Gazette, constitute a Commission to be called the “Goa Staff Selection Commission” to exercise the powers conferred on and to perform the functions assigned to it, under this Act.

(2) The Commission shall consist of,—

(a) a Chairperson, who shall be a retired officer from the Indian Administrative Service and shall have drawn a pay scale not below that of Super-time Scale at the time of his retirement or a retired Officer, from the Goa Civil Service, Government aided institution or Semi-Government Organization and have drawn a pay scale not below that of Selection Grade officer at the time of his retirement.

(b) two members, who shall be retired officers of the Government, Government aided institution or Semi-Government Organization, and have drawn the pay scale not below that of a Senior Scale officer at the time of their retirement.

4. *Appointment, terms of office and conditions of service of the Chairperson and members.*—

(1) The Chairperson and other members of the Commission shall be appointed by the Governor:

Provided that no person shall be appointed as a Chairperson or a member unless he is free from vigilance angle.

(2) The Chairperson and every member of the Commission shall hold office for a term of Five years from the date on which he enters

upon his office or till he attains the age of sixty-five years, whichever is earlier and shall not be eligible for reappointment.

(3) If the office of the Chairperson becomes vacant or if the Chairperson is, by reason of absence or for any other reason, unable to perform his duties, than those duties shall, until some other person is appointed under sub-section (1) to the said vacant office, or the Chairperson has resumed his duties, as the case may be, be performed by one of the members of the Commission as the Governor may appoint for the purpose.

(4) The Chairperson or a member of the Commission may, at any time, by writing under his hand addressed to the Governor, resign his office, but he shall continue in office till his resignation is accepted by the Governor.

(5) The salaries and allowances payable to, and the other terms and conditions of service of, the Chairperson and the members of the Commission, shall be such as may be prescribed.

(6) Every person appointed as the Chairperson or as member shall, before he enters upon his office, make and subscribe before the Governor or some other person appointed by him in that behalf, an oath or affirmation in such form as may be prescribed.

5. *Removal and suspension of Chairperson and member of the Commission.*— (1) Notwithstanding anything contained in sub-section (2) of section 4, the Governor may by order remove a person from the office of the Chairperson or a member, if that person,—

(a) is adjudged as an insolvent; or

(b) has been convicted of an offence which, in the opinion of the Government, involves moral turpitude; or

(c) becomes unfit to continue in office by reason of infirmity of mind or body;

(d) acquired such financial or other interest as is likely to affect prejudicially his functions as a Chairperson or a member of the Commission; or

(e) has not maintained integrity and devotion to duty; or

(f) abused his position so as to render his continuance in office detrimental to the public interest:

Provided that, no person shall be removed under sub-section (1) unless that person has been given a reasonable opportunity of being heard in the matter.

(2) The Governor may suspend the Chairperson or any other member of the Commission till such time he passes order under sub-section (1).

6. Officers and other employees of the Commission.— (1) The Government shall provide the Commission with a Secretary, who shall be from the Goa Civil Service not below the rank of Junior Scale Officer and such other officers and employees as may be necessary for the efficient performance of the functions of the Commission under this Act. Their appointment shall be treated as on deputation as per the standard terms and conditions envisaged in the deputation guidelines issued from time to time.

(2) The salaries and allowances payable to, and the other terms and conditions of service of, the Secretary, officers and other employees of the Commission, shall be such as may be prescribed.

7. Duties and functions of the Commission.— (1) Notwithstanding anything contained in any other law for the time being in force it shall be the duty of the Commission to conduct examinations and select candidates for appointments to the subordinate services/ posts.

(2) It shall be the duty of the Commission to perform such other functions and duties as the Government may, by notification, specify.

(3) It shall be the duty of the Commission to conduct departmental examinations and advise the Government on such other matters as may be referred to it by the Government.

(4) Nothing in this section, shall apply to direct recruitment to the posts or services, which are required to be made through the Goa Public Service Commission.

(5) Notwithstanding anything contained in any law, or rules, regulations, bye laws framed thereunder, relating to the appointment to the services/posts in, and conditions of service of employees of, the Government Departments, organizations and autonomous bodies established/constituted by the Government and Semi-Government Organizations, the Commission shall be the authority competent to conduct examinations for appointments to the subordinate services/posts of such Government Departments, organizations and autonomous bodies and Semi-Government Organizations, and it shall be the duty of the Commission to conduct such examinations.

(6) On all matters relating to methods of recruitment to, or any other matter relating to, the subordinate services/posts it shall be the duty of the Commission to advise on any matters so referred to by the Government Department, an organization or autonomous body established/constituted by the Government, or a Semi-Government Organization.

(7) The Government may, however, make orders specifying the matters in which either generally or in any particular class of cases or in any particular circumstances, it shall not be necessary for the Commission to be consulted.

(8) In the case of any difference of opinion between the Commission and the Government Department, or an organization or autonomous body established/constituted by the Government, or the Semi-Government Organizations, or on any other matter, the concerned Government Department, or an organization or autonomous body, or the Semi-Government Organization, shall refer the matter to the Government and the decision of the Government thereon shall be final.

8. Manner of selection of candidates, procedure for conduct of business of the Commission, certain special provisions relating to intimation

of vacancies to Commission and their advertisement.— (1) The manner of conducting examinations and selection of candidates for appointment to the subordinate services/posts shall be such as may be provided for by the regulations.

(2) The procedure for conduct of business of the Commission shall be such as may be provided for by the regulations.

(3) Every Head of the Government Department, organization or autonomous body established/constituted by the Government and semi-Government organization shall, every year, intimate the Commission the number of vacancies including those anticipated in course of the year, within such time and in such manner as may be provided for by regulations.

(4) In matters for which no provision is made in this section, the Government may make rules in consultation with the Commission; and subject to the provisions of such rules, the Commission may regulate its proceedings.

9. Effect of recommendation of Commission.— Notwithstanding anything contained in any other law for the time being in force the recruitment to the subordinate services/posts, except the posts or services falling under sub-section (4) of section 7, shall be made on the recommendation of the Commission.

10. Furnishing of returns, etc.— (1) The Commission shall furnish to the Government such returns, statistics, reports, accounts and other information with respect to conduct of its affairs or activities as may be required by the Government from time to time.

(2) The Commission shall furnish to the Government an annual report on its working as soon as may be after the end of each financial year in such form and detail as may be prescribed.

11. Fees.— The Commission shall for the purpose of discharging its functions of conducting examinations and selecting candidates for appointments to the subordinate

services/posts levy such fees as may be prescribed:

Provided that the candidates belonging to Scheduled Castes and Scheduled Tribes shall be levied 25% of such fees and the candidate belonging to other backward class shall be levied 50% of such fees.

12. Commission may call for records.— The Commission may call for any record, report or information from any appointing authority or the Government which in its opinion, is necessary for efficient discharge of its functions and the concerned authorities shall be bound to furnish such records, reports or information to the Commission.

13. Chairperson and members of Commission deemed to be the Public Servants.— The Chairperson and the other members of the Commission appointed under this Act shall, while acting or purporting to act under this Act, be deemed to be public servants within the meaning of section 21 of the Indian Penal Code (45 of 1860).

14. Vacancies, etc. not to invalidate proceedings of the Commission.— No act or proceedings of the Commission shall be questioned or shall become invalid merely on the ground of the existence of any vacancy in, or defect in the constitution of the Commission.

15. General powers of the Commission.— Subject to the provisions of this Act, the Commission shall have powers,—

(a) to constitute advisory committee to advise the Commission;

(b) to engage suitable consultants/experts or persons having special knowledge or skills to assist the Commission in the performance of its functions;

(c) subject to the previous permission of the Government, to delegate any of its powers generally or specially to any of its Committees or Officers;

(d) to enter into and perform all such contracts, as it may consider necessary or expedient, for carrying out any of its functions;

(e) to do such other things and perform such acts as it may think necessary or expedient for the proper conduct of its functions and carrying into effect the purposes of this Act.

16. *Authentication of orders and documents of Commission.*— All permissions, orders, decisions, notices and other documents of the Commission shall be authenticated by the signatures of officer authorized by the Commission in this behalf.

17. *Power to make rules.*— (1) The Government may, by notification, make rules for the purpose of carrying out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) the salaries and allowances payable to, and the other terms and conditions of service of, the Chairperson and members, under sub-section (5) of section 4;

(b) form of oath or affirmation, under sub-section (6) of section 4;

(c) the salaries and allowances payable to, and the other terms and conditions of service of, the Secretary, officers and other employees of the Commission, under sub-section (2) of section 6;

(d) matter for which no provision is made in section 8 to make Regulations, under sub-section (4) of section 8;

(e) form and the details of the annual report to be furnished by the Commission to the Government, under sub-section (2) of section 10;

(f) Fees to be levied under section 11.

(3) Every rule made under this section shall, as soon as may be after it is made, be laid before the State Legislature.

18. *Power to make regulations.*— (1) The Commission may, with prior approval of the Government, by notification, make regulations

not inconsistent with this Act and the rules made thereunder for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such regulations may provide for all or any of the following matters, namely:—

(a) manner of conducting examinations and selection of candidates for appointment to the subordinate services/posts, under sub-section (1) of section 8;

(b) procedure for conduct of business of the Commission under sub-section (2) of section 8;

(c) time limit and the manner in which the Government Departments, organizations and autonomous bodies established/constituted by the Government and Semi-Government Organizations shall intimate the number of vacancies to the Commission under sub-section (3) of section 8;

(d) specifying the mode of selection and fixing criteria for selection of candidates to subordinate services/posts as it may deem appropriate in consultation with the concerned Government Department, organization or autonomous body established/constituted by the Government or Semi-Government Organization;

(e) specifying the mode of arranging the selected candidates in the order of merit keeping in view the number of vacancies reported for being filled;

(f) specifying the manner of forwarding the list of selected candidates arranged as per their merits to the appointing Authority;

(g) specifying the manner in which an advertisement to be issued, for inviting applications;

(h) specifying the mode for publication of advertisement inviting applications.

(3) No regulation or its amendment shall have effect until the same is approved by the Government.

19. *Power to remove difficulties.*— (1) If any difficulty arises in giving effect to any of the

provisions of this Act, the Government may, by order not inconsistent with the provisions of this Act, remove the difficulty:

Provided that no such order shall be made after the expiration of a period of two years from the date of commencement of this Act.

(2) Every order made under this section shall, as soon as may be after it is made, be laid before the Legislative Assembly of Goa.

Statement of Objects and Reasons

The Bill seeks to make special provision for the purpose of conducting examinations and selection of candidates for appointments to the subordinate services/posts in the Government Departments, Organizations and autonomous bodies established/constituted by the Government and Semi-Government Organizations, etc. in the State of Goa by an independent body and for that purpose to constitute the Goa Staff Selection Commission.

This Bill seeks to achieve the above object.

Financial Memorandum

Clause 3 of the Bill empowers the Government for constitution of Goa Staff Selection Commission and to appoint the Chairperson and two members thereof. There are financial implications on account of constitution of said Commission to the tune of Rs. 500.00 lakhs approximately.

Thereafter, the Commission will levy fee for the purpose of conducting examination and for selecting candidates for the subordinate services/posts.

Memorandum Regarding Delegated Legislation

Clause 1(3) of the Bill empowers the Government to issue notification for appointing the date to bring into force the Act.

Clause 2(m) of the Bill empowers the Government to notify any service/post to be subordinate service/post.

Clause 3(1) of the Bill empowers the Government to constitute the Goa Staff

Selection Commission by a notification in the Official Gazette.

Clause 4(5) of the Bill empowers the Government to frame rules for specifying the salaries and allowances payable to, and other terms and conditions of service of, the Chairperson and members of the Commission.

Clause 4(6) of the Bill empowers the Government to frame rules for specifying the form of oath or affirmation.

Clause 6(2) of the Bill empowers the Government to frame rules for specifying the salaries and allowances payable to, and other terms and conditions of service of, the Secretary, officers and other employees of the Commission.

Clause 7(2) of the Bill empowers the Government to specify by notification in the Official Gazette other functions and duties to be performed by the Commission.

Clause 7(7) of the Bill empowers the Government to make orders for specifying the matters, class of cases or circumstances in which, the Commission shall not be consulted.

Clause 8(1) of the Bill empowers the Commission to make regulations specifying the manner of conducting examination and selection of candidates for appointment to the subordinate services/posts.

Clause 8(2) of the Bill empowers the Commission to make regulations specifying the procedure for conduct of its business.

Clause 8(3) of the Bill empowers the Commission to make regulations specifying the time limit and the manner in which, the Heads of the Government Departments, organization and autonomous bodies, Semi-Government Organizations, etc. shall intimate the vacancies to the Commission.

Clause 8(4) of the Bill empowers the Government to make rules, in consultation with the Commission in matters for which no provision is made in section 8.

Clause 10(2) of the Bill empowers the Government to frame rules specifying the

form and the details about the annual report which is to be furnished by the Commission to the Government.

Clause 11 of the Bill empowers the Government to frame rules specifying the fees payable by the candidates.

Clause 17 of the Bill empowers the Government to frame rules for the purpose of carrying out the provisions of the Act.

Clause 18 of the Bill empowers the Commission to frame regulations for carrying out the purposes of the Act.

Clause 19(1) of the Bill empowers the Government to make order for removing any difficulty which arises in giving effect to the provisions of the Act.

These delegations are of normal character.

Porvorim, Goa. SHRI LAXMIKANT PARSEKAR
4th August, 2016. Minister for Personnel/
/Chief Minister

Porvorim, Goa. N. B. SUBHEDAR
4th August, 2016. Secretary to the Legislative
Assembly of Goa.

Governor's Recommendation under Article 207
of the Constitution of India

In pursuance of Article 207 of the Constitution of India, I, Mridula Sinha, Governor of Goa hereby recommend the introduction and consideration of the '**GOA STAFF SELECTION COMMISSION BILL, 2016**', by the Legislative Assembly of Goa.

MRIDULA SINHA
Governor of Goa.

LA/LEGN/2016/1212

The following bill which was introduced in the Legislative Assembly of the State of Goa on 9th August, 2016 is hereby published for general information in

pursuance of Rule - 138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

The Goa Motor Vehicles Tax (Amendment) Bill, 2016

(Bill No. 21 of 2016)

A

BILL

further to amend the Goa, Daman and Diu Motor Vehicles Tax Act, 1974 (Act No. 8 of 1974).

Be it enacted by the Legislative Assembly of Goa in the Sixty-seventh Year of the Republic of India, as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Motor Vehicles Tax (Amendment) Act, 2016.

(2) It shall come into force at once.

2. *Amendment of section 3-A.*— In the Goa, Daman and Diu Motor Vehicles Tax Act, 1974 (Act No. 8 of 1974) (hereinafter referred to as the "principal Act"), in section 3-A, in the "TABLE", against serial number (1), in column (3), for letters and figures "Rs. 1,000/-", "Rs. 1,200/-", "Rs. 1,600/-", "Rs. 2,000/-", "Rs. 2,400/-" and "Rs. 4,000/-", the letters and figures "Rs. 1,100/-", "Rs. 1,320/-", "Rs. 1,760/-", "Rs. 2,200/-", "Rs. 2,640/-" and "Rs. 4,400/-", shall be respectively substituted.

3. *Amendment of section 3-B.*— In section 3-B of the principal Act, for the figures "12,000/-", "40,000/-", "75,000/-" and "1,00,000/-", the figures "15,000/-", "50,000/-", "1,00,000/-" and "1,25,000/-", shall be respectively substituted.

4. *Amendment of Schedule.*— In the Schedule appended to the principal Act,—

(i) in PART 'A', in item (A),

(a) for sub-item (V), the following shall be substituted, namely:—

“(V) Taxis and Auto Rickshaws:

not exceed Rs. 1.50 lakhs.

(i) Taxis –

- (a) upto 3 seaters Rs. 320/-.
- (b) upto 4 seaters Rs. 370/-.
- (c) upto 5 seaters Rs. 425/-.
- (d) For every additional seat upto a maximum of 7 seats Rs. 60/-.
- (e) Non-A/c All India Tourist Taxis, per seat Rs. 130/-.
- (f) All India Tourist Taxis (A/c) per seat Rs. 210/-.

(ii) Rickshaws—

- (a) Auto Rickshaws upto 2 seats used for hire Rs. 120/-.
- (b) for every additional seat Rs. 60/-.”;

(b) for sub-item (VI), the following shall be substituted, namely:—

“(VI) Passenger vehicles:

- (a) upto 18 seats Rs. 2,000/-.
- (b) for every additional seat over 18 seats Rs. 110/-.
- (c) for every passenger (other than seated passenger) which the vehicle is permitted to carry Rs. 60/-.”;

(ii) in PART ‘B’, for item (B), the following item shall be substituted, namely:—

“(B) At the time of registration of new vehicle:

- (1) Motor cycle/Motor scooter/Auto rickshaw irrespective of its horse power, whose cost does 10% of the cost of the Motor cycle/Motor scooter/Auto rickshaw.

- (2) Motor cycle, irrespective of its horse power, whose cost exceeds Rs. 1.50 lakhs but does not exceed Rs. 3.0 lakhs. 15% of the cost of the Motor cycle.

- (3) Motor cycle, irrespective of its horse power, whose cost exceeds Rs. 3.0 lakhs. 20% of the cost of the Motor cycle.

- (4) Tricycle for every 25 kgs. weight or part thereof. Rs. 150/-.

- (5) Motor vehicles belonging to the individuals

- (i) 9% of the cost of the vehicle, where cost of vehicle does not exceed Rs. 6 lakhs.

- (ii) 11% of the cost of the vehicle, where cost of vehicle exceeds Rs. 6 lakhs but does not exceed Rs.10 lakhs.

- (iii) 12% of the cost of the vehicle, where cost of vehicle exceeds Rs. 10 lakhs but does not exceed Rs. 15 lakhs.

	(iv) 15% of the cost of the vehicle, where cost of vehicle exceeds Rs. 15 lakhs but does not exceed Rs. 25 lakhs.	Rs. 10 lakhs but does not exceed Rs. 15 lakhs.
	(v) 18% of the cost of the vehicle, where cost of vehicle exceeds Rs. 25 lakhs.	(iv) 16% of the cost of the vehicle, where cost of vehicle exceeds Rs. 15 lakhs but does not exceed Rs. 25 lakhs.
(6) Motor vehicles belonging to the partnership firm and limited companies with share capital of less than Rs. 50 lakhs.		(v) 19% of the cost of the vehicle, where cost of vehicle exceeds Rs. 25 lakhs.
	(i) 10% of the cost of the vehicle, where cost of vehicle does not exceed Rs. 6 lakhs.	(7) Any other motor vehicle not covered under clauses (5) and (6)
	(ii) 11% of the cost of the vehicle, where cost of vehicle exceeds Rs. 6 lakhs but does not exceed Rs. 10 lakhs.	(i) 11% of the cost of the vehicle, where cost of vehicle does not exceed Rs. 6 lakhs.
	(iii) 13% of the cost of the vehicle, where cost of vehicle exceeds	(ii) 13% of the cost of the vehicle, where cost of vehicle exceeds Rs. 6 lakhs but does not exceed Rs. 10 lakhs.
		(iii) 15% of the cost of the vehicle, where cost of vehicle exceeds Rs. 10 lakhs but does not exceed Rs. 15 lakhs.
		(iv) 18% of the cost of the vehicle, where cost of vehicle exceeds Rs. 15 lakhs but does not exceed Rs. 25 lakhs.
		(v) 21% of the cost of the vehicle, where cost of vehicle exceeds Rs. 25 lakhs.”.
		Statement of Objects and Reasons
		The Bill seeks to amend section 3-A of the Goa, Daman and Diu Motor Vehicles Tax Act, 1974 (Act No. 8 of 1974) (hereinafter referred

to as the “said Act”), so as to suitably enhance the rates of green tax to be levied and collected from the vehicles, which have completed 15 years from the date of their initial registration, at the time of renewal of certificate of registration as per sub-section (10) of section 41 or at the time of renewal of fitness certificate under section 56 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988), as the case may be.

The Bill further seeks to amend section 3-B of the said Act, so as to enhance the rate of infrastructure development cess payable on newly purchased motor car priced rupees ten lakhs or above.

The Bill also seeks to suitably amend the Schedule appended to the said Act so as to revise the rates of tax specified therein.

This Bill seeks to achieve the above objects.

Financial Memorandum

No financial implications are involved in this Bill. However, amendments proposed in the Bill would result in an additional revenue collection of Rs. 133 Crores, per annum, approximately.

Memorandum Regarding Delegated Legislation

No delegated legislation is involved in this Bill.

Porvorim-Goa, 05th August, 2016. SHRI RAMKRISHNA alias SUDIN DHAVLIKAR
Minister for Transport.

Assembly Hall, Porvorim-Goa. 05th August, 2016. N. B. SUBHEDAR, Secretary to the Legislative Assembly of Goa.

Governor's Recommendation under Article 207 of the Constitution of India

In pursuance of article 207 of the Constitution of India, I, Mridula Sinha, the Governor of Goa, hereby recommend the introduction and

consideration of the Goa Motor Vehicles Tax (Amendment) Bill, 2016, by the Legislative Assembly of Goa.

MRIDULA SINHA
Governor of Goa.

ANNEXURE

(Bill No. 21 of 2016)

Extract of the Goa, Daman and Diu Motor Vehicles Tax Act, 1974 (Act 8 of 1974)

Section 3-A. Levy of Green Tax

TABLE

Sr. No.	Class and age of the vehicle	Rate of cess in rupees
(1)	(2)	(3)

- (1) Vehicle which has completed 15 years from the date of its initial registration, at the time of renewal of Certificate of Registration as per sub-section (10) of section 41 or at the time of renewal of fitness certificate issued under section 56 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988), as the case may be,—

(a) Motor cycle	Rs. 1,000/-
(b) Auto Rickshaw	Rs. 1,200/-
(c) Light Motor Vehicle	Rs. 1,600/-
(d) Light Commercial Vehicle	Rs. 2,000/-
(e) Medium Motor Vehicle	Rs. 2,400/-
(f) Heavy Motor vehicle	Rs. 4,000/-

Section 3-B. Levy of infrastructure development cess

- (i) Motor car prices Rs. 10.00 lakhs and upto Rs. 20.00 lakhs ó Rs. 12,000/-
- (ii) Motor car priced above Rs. 20.00 lakhs and upto Rs. 40.00 lakhs ó Rs. 40,000/-
- (iii) Motor car priced above Rs. 40.00 lakhs and upto Rs. 60.00 lakhs ó Rs. 75,000/-
- (iv) Motor car priced above Rs. 60.00 lakhs ó Rs. 1,00,000/-

SCHEDULE		1	2
PART 'A'			
SCHEDULE OF TAXATION			
(See section 3)			
Class of Motor Vehicles	Maximum Annual Rate of tax in Rs.		
1	2		
(A) Motor Vehicles fitted solely with pneumatic tyres:—		(g) exceeds 6,000 kgs. but does not exceed 7,000 kgs.	Rs. 27,300/- as one-time tax at the time of registration.
(I) Motor cycles and tricycles: (including motor scooters and cycles with attachment for propelling the same by mechanical power:—		(h) exceeds 7,000 kgs. but does not exceed 8,000 kgs.	Rs. 4,100/- as annual tax or Rs. 28,700/- as one-time tax in lieu of annual tax, at the time of registration.
Motor cycle used for hire	Rs. 150/-	(i) exceeds 8,000 kgs. but does not exceed 9,000 kgs.	Rs. 4,600/- as annual tax, or Rs. 32,200/- as one-time tax in lieu of annual tax, at the time of registration.
(II) Goods vehicles belonging to individual other than Company/Institution/Corporation/etc., of which the gross vehicle weight,—		(j) exceeds 9,000 kgs. but does not exceed 10,000 kgs.	Rs. 4,900/- as annual tax, or Rs. 34,300/- as one-time tax in lieu of annual tax, at the time of registration.
(a) is upto 1,000 kgs.	Rs. 5,600/- as one-time tax at the time of registration.	(k) exceeds 10,000 kgs. but does not exceed 11,000 kgs.	Rs. 5,300/- as annual tax, or Rs. 37,100/- as one-time tax in lieu of annual tax, at the time of registration.
(b) exceeds 1,000 kgs. but does not exceed 2,000 kgs.	Rs. 12,600/- as one-time tax at the time of registration.	(l) exceeds 11,000 kgs. but does not exceed 12,000 kgs.	Rs. 5,800/- as annual tax, or Rs. 40,600/- as one-time tax in lieu of annual tax, at the time of registration.
(c) exceeds 2,000 kgs. but does not exceed 3,000 kgs.	Rs. 15,400/- as one-time tax at the time of registration.	(m) exceeds 12,000 kgs. but does not exceed 13,000 kgs.	Rs. 6,100/- as annual tax, or Rs. 42,700/- as one-time tax in lieu of annual tax, at the time of registration.
(d) exceeds 3,000 kgs. but does not exceed 4,000 kgs.	Rs. 18,900/- as one-time tax at the time of registration.	(n) exceeds 13,000 kgs. but does not exceed 14,000 kgs.	Rs. 6,400/- as annual tax, or Rs. 44,800/- as one-time tax in lieu of annual tax, at the time of registration.
(e) exceeds 4,000 kgs. but does not exceed 5,000 kgs.	Rs. 21,700/- as one-time tax at the time of registration.		
(f) exceeds 5,000 kgs. but does not exceed 6,000 kgs.	Rs. 25,200/- as one-time tax at the time of registration.		

1	2	1	2
(o) exceeds 14,000 kgs. but does not exceed 15,000 kgs.	Rs. 6,900/- as annual tax, or Rs. 48,300/- as one-time tax in lieu of annual tax, at the time of registration.	(h) exceeds 7,000 kgs. but does not exceed 8,000 kgs.	Rs. 5,125/- as annual tax or Rs. 35,875/- as one-time tax in lieu of annual tax, at the time of registration.
(p) exceeds 15,000 kgs. but does not exceed 16,000 kgs.	Rs. 7,500/- as annual tax, or Rs. 52,500/- as one-time tax in lieu of annual tax, at the time of registration.	(i) exceeds 8,000 kgs. but does not exceed 9,000 kgs.	Rs. 5,750/- as annual tax or Rs. 40,250/- as one-time tax in lieu of annual tax, at the time of registration.
(q) exceeds 16,000 kgs.; for every 1,000 kgs or part thereof in excess of 16,000 kgs.	Rs. 400/- as annual tax, or Rs. 2,800/- as one-time tax in lieu of annual tax, at the time of registration.	(j) exceeds 9,000 kgs. but does not exceed 10,000 kgs.	Rs. 6,125/- as annual tax or Rs. 42,875/- as one-time tax in lieu of annual tax, at the time of registration.
(III) Goods vehicles not covered under clause II of which the gross vehicle weight;—		(k) exceeds 10,000 kgs. but does not exceed 11,000 kgs.	Rs. 6,625/- as annual tax or Rs. 46,375/- as one-time tax in lieu of annual tax, at the time of registration.
(a) does not exceed 1,000 kgs.	Rs. 7,000/- as one-time tax at the time of registration.	(l) exceeds 11,000 kgs. but does not exceed 12,000 kgs.	Rs. 7,250/- as annual tax or Rs. 50,750/- as one-time tax in lieu of annual tax, at the time of registration.
(b) exceeds 1,000 kgs. but does not exceed 2,000 kgs.	Rs. 14,000/- as one-time tax at the time of registration.	(m) exceeds 12,000 kgs. but does not exceed 13,000 kgs.	Rs. 7,625/- as annual tax or Rs. 53,375/- as one-time tax in lieu of annual tax, at the time of registration.
(c) exceeds 2,000 kgs. but does not exceed 3,000 kgs.	Rs. 17,500/- as one-time tax at the time of registration.	(n) exceeds 13,000 kgs. but does not exceed 14,000 kgs.	Rs. 8,000/- as annual tax or Rs. 56,000/- as one-time tax in lieu of annual tax, at the time of registration.
(d) exceeds 3,000 kgs. but does not exceed 4,000 kgs.	Rs. 21,000/- as one-time tax at the time of registration.	(o) exceeds 14,000 kgs. but does not exceed 15,000 kgs.	Rs. 8,625/- as annual tax or Rs. 60,375/- as one-time tax in lieu of annual tax, at the time of registration.
(e) exceeds 4,000 kgs. but does not exceed 5,000 kgs.	Rs. 23,800/- as one-time tax at the time of registration.		
(f) exceeds 5,000 kgs. but does not exceed 6,000 kgs.	Rs. 28,000/- as one-time tax at the time of registration.		
(g) exceeds 6,000 kgs. but does not exceed 7,000 kgs.	Rs. 30,100/- as one-time tax at the time of registration.		

1	2
(p) exceeds 15,000 kgs. but does not exceed 16,000 kgs.	Rs. 9,375/- as annual tax or Rs. 65,625/- as one-time tax in lieu of annual tax, at the time of registration.
(q) exceeds 16,000 kgs; for every 1,000 kgs. or part thereof in excess of 16,000 kgs.	Rs. 800/- as annual tax or Rs. 5,600/- as one-time tax in lieu of annual tax, at the time of registration.
(IV) Goods vehicles carrying mineral ore.	Rates shown in clause II and III above, as the case may be, plus 20 percent.
(V) Taxis and Auto Rickshaws:	
Taxis –	
(a) upto 3 seaters	Rs. 300/-
(b) upto 4 seaters	Rs. 350/-
(c) upto 5 seaters	Rs. 400/-
For every additional seat upto a maximum of 7 seats	Rs. 50/-
(d) Non-A/c All India Tourist Taxis, per seat	Rs. 125/-
(e) All India Tourist Taxis (A/c) per seat	Rs. 200/-
Auto Rickshaws—	
auto Rickshaws upto 2 seats used for hire	Rs. 110/-
for every additional seat	Rs. 50/-
(VI) Passenger vehicles:	
(a) upto 18 seats	Rs. 1800/-
(b) for every additional seat over 18 seats	Rs. 100/-
(c) for every passenger (other than seated passenger) which the vehicle is permitted to carry	Rs. 50/-

Explanation— In clause V and clause VI above, the seating capacity is to be determined exclusive of the driver's seat.

(VII) Additional tax payable in respect of motor vehicles used for drawing trailers.

- | | |
|---|---|
| (a) for each trailer when it is used for the carriage of goods | At the rates specified in clause II or clause III of item (A) in respect of motor vehicles used for carriage of goods or material |
| (b) for each trailer when it is used for the carriage of passengers | At the rates specified in clause VI of item A in respect of motor vehicles plying for hire and used for the carriage of passengers. |
- (B) Motor Vehicles other than those fitted with pneumatic tyres The rates shown in item A plus 50 percent.
- (C) Dealers in, or manufacturers of Motor Vehicles:
- (a) General licence in respect of each vehicle Rs. 200/-

PART 'B'

SCHEDULE OF TAXATION

(See section 3)

Class of vehicles	Two Wheelers	Four Wheelers and above
1	2	3

- (A) If the vehicle is already registered in any State, at the time of re-registration and for assignment of new Registration Mark, when it's age from the date of registration is,—

1	2	3	1	2	3
	Percentage on Rate of tax specified in PART 'A' and in item (B) of PART 'B'.		(B) At the time of registration of new vehicle:		
(a) not more than two years	95%	95%	(1) Motor cycle/Motor scooter/Auto rickshaw irrespective of its horse power, whose cost is upto Rs. 1.50 lakhs	8% of the cost of the Motor cycle/ /Motor scooter/ Auto Rickshaw	
(b) more than two years but not more than three years	90%	90%	(2) Motor cycle irrespective of its horse power, whose cost is above Rs. 1.50 lakhs	14% of the cost of the Motor cycle	
(c) more than three years but not more than four years	85%	85%	(3) Tricycle for every 25 kgs -weight or part thereof	Rs. 150/-	
(d) more than four years but not more than five years	80%	80%	(4) Motor vehicles belonging to the individuals	(i) 8% of the cost of the vehicle, where cost of vehicle does not exceed Rs. 6 lakhs.	
(e) more than five years but not more than six years	75%	75%		(ii) 9% of the cost of the vehicle, where cost of vehicle exceeds Rs. 6 lakhs but does not exceed Rs. 10 lakhs.	
(f) more than six years but not more than seven years	70%	70%		(iii) 10% of the cost of the vehicle, where cost of vehicle exceeds Rs. 10 lakhs.	
(g) more than seven years but not more than eight years	65%	65%	(5) Motor vehicles belonging to the partnership firm and limited companies with share capital of less than Rs. 50 lakhs	(i) 9% of the cost of the vehicle, where cost of vehicle does not exceed Rs. 6 lakhs.	
(h) more than eight years but not more than nine years	60%	60%		(ii) 10% of the cost of the vehicle, where cost of vehicle exceeds Rs. 6 lakhs but does not exceeds Rs. 10 lakhs.	
(i) more than nine years but not more than ten years	55%	55%		(iii) 12% of the cost of the vehicle, where cost of vehicle exceeds Rs. 10 lakhs.	
(j) more than ten years but not more than eleven years	50%	50%			
(k) more than eleven years but not more than twelve years	45%	45%			
(l) more than twelve years but not more than thirteen years	40%	40%			
(m) more than thirteen years but not more than fourteen years	35%	35%			
(n) more than fourteen years but not more than fifteen years	30%	30%			
(o) more than fifteen years.	20%	20%			

1	2	3
(6)	Any other motor vehicle not covered under clauses (4) and (5)	
(i)	10% of the cost of the vehicle, where cost of vehicle does not exceed Rs. 6 lakhs.	
(ii)	12% of the cost of the vehicle, where cost of vehicle exceeds Rs. 6 lakhs but does not exceed Rs. 10 lakhs.	
(iii)	14% of the cost of the vehicle, where cost of vehicle exceeds Rs. 10 lakhs but does not exceed Rs. 25 lakhs.	
(iv)	16% of the cost of the vehicles, where cost of vehicle exceeds Rs. 25 lakhs.	

LA/LEGN/2016/1213

The following bill which was introduced in the Legislative Assembly of the State of Goa on 9th August, 2016 is hereby published for general information in pursuance of Rule – 138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

**The Goa Motor Vehicles
(Taxation on Passengers and Goods)
(Amendment) Bill, 2016**

(Bill No. 22 of 2016)

A

BILL

further to amend the Goa, Daman and Diu Motor Vehicles (Taxation on Passengers and Goods) Act, 1974 (Act No. 7 of 1974).

Be it enacted by the Legislative Assembly of Goa in the Sixty-seventh Year of the Republic of India, as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Motor Vehicles (Taxation on Passengers and Goods) (Amendment) Act, 2016.

(2) It shall come into force at once.

2. *Amendment of Schedule.*— In the Schedule appended to the Goa, Daman and Diu Motor Vehicles (Taxation on Passengers and Goods) Act, 1974 (Act No. 7 of 1974), in clause (1), in sub-clause (a), —

(i) in item (ii), for the words “Rupees seventy five”, the words “Rupees eighty five” shall be substituted;

(ii) in item (iii),

(I) for sub-item (A), the following sub-item shall be substituted, namely:—

“(A) for bus:— Rupees two hundred and seventy five, per seat, per month.”;

(II) for sub-item (C), the following sub-item shall be substituted, namely: —

“(C) for bus (sleeper coach):— Rupees two hundred and seventy five, per seat/berth, per month.”.

Statement of Objects and Reasons

The Bill seeks to suitably amend the Schedule appended to the said Act so as to revise the rates of tax specified therein.

This Bill seeks to achieve the above object.

Financial Memorandum

No financial implications are involved in this Bill. However, amendments proposed in the Bill would result in an additional revenue collection of Rs. 19 crores, per annum, approximately.

Memorandum Regarding Delegated Legislation

No delegated legislation is involved in this Bill.

Porvorim-Goa.
05th August, 2016.

SHRI RAMKRISHNA alias
SUDIN DHAVLIKAR
(Minister for Transport).

Assembly Hall,
Porvorim-Goa.
05th August, 2016.

N. B. SUBHEDAR,
Secretary to the Legislative
Assembly of Goa.

Governor's Recommendation under Article 207
of the Constitution of India

In pursuance of article 207 of the Constitution of India, I, Mridula Sinha, the Governor of Goa, hereby recommend the introduction and consideration of the Goa Motor Vehicles (Taxation on Passengers and Goods) (Amendment) Bill, 2016, by the Legislative Assembly of Goa.

MRIDULA SINHA
Governor of Goa.

ANNEXURE

(Bill No. 22 of 2016)

**Extract of the Goa, Daman and Diu Motor
Vehicles (Taxation on Passengers and Goods)
Act, 1974 (Act 7 of 1974)**

(ii) *Vehicles permitted to ply as contract carriages* — Rupees seventy five, per seat, per month for the vehicle registered in the State of Goa and rupees three hundred, per seat, for the vehicles registered in a State other than the State of Goa, for one round trip.

(iii) Vehicles in respect of which permits have been issued under section 88(9) of the Motor Vehicles Act, 1988 (Central Act 59 of 1988), registered in the State of Goa,

(A) for bus:— Rupees two hundred fifty, per seat, per month.

(C) for bus (sleeper coach):—Rupees two hundred, per passenger, per month.

LA/LEGN/2016/1214

The following bill which was introduced in the Legislative Assembly of the State of Goa on 9th August, 2016 is hereby published for general information in pursuance of Rule - 138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

The Goa Waste Management
Corporation Bill, 2016

(Bill No. 29 of 2016)

A

BILL

to make special provision for securing the orderly establishment and development of facilities for management of various types of wastes in the manner provided under law, to assist generally in the organization and scientific management thereof, and for that purpose to establish the Goa Waste Management Corporation, and for matters connected therewith or incidental thereto.

Be it enacted by the Legislative Assembly of Goa in the Sixty-seventh Year of the Republic of India, as follows:—

1. *Short title, extent and commencement.*—

(1) This Act may be called “The Goa Waste Management Corporation Bill, 2016”.

(2) It extends to the whole of the State of Goa.

(3) It shall come into force on such date as the Government may, by notification in the Official Gazette, appoint.

2. *Definitions.*— In this Act, unless the context otherwise requires,—

(a) “amenity” includes road, supply of water or electricity, connectivity, street lighting, drainage, sewerage, conservancy and such other convenience as the Government may, by notification in the Official Gazette, specify to be an amenity for the purposes of this Act;

(b) “Bio-medical waste” means any waste which is generated during the diagnosis, treatment or immunisation of human beings or animals or in research activities pertaining thereto and includes the wastes specified in Schedule I of the Bio-medical Waste (Management and Handling) Rules, 2016;

(c) “building” means any structure or erection, or a part of a structure or erection, which is intended to be used for residential, educational, commercial, industrial or other purposes, whether in actual use or not;

(d) “Collector” means the Collector of a district and includes any Officer specially appointed by the Government to perform the functions of a Collector under this Act;

(e) “Corporation” means the Goa Waste Management Corporation established under section 3 of the Companies Act;

(f) “engineering operations” includes the formation or laying out of means of access to a road or the laying out of means of water supply or other engineering process for safe disposal or utilization of wastes;

(g) “E-waste” means waste generated from electrical and electronic equipment, either in whole or in part and includes rejects from the manufacturing and repair process of such equipment which are intended to be discarded;

(h) “facility” means establishment of any facility for the purpose of managing waste and includes institutions, industrial establishments, production and tool room, testing labs, research labs, manufacturing units, waste treatment plant, waste treatment and storage facility, environmental labs and such other facility as may be notified by the Government;

(i) “Government” means the Government of Goa;

(j) “Hazardous waste” means any waste which by reason of any of its physical, chemical, reactive, toxic, flammable, explosive or corrosive characteristics causes danger or is likely to cause danger to health or environment, whether alone or when comes in contact with other wastes or substances and includes the waste as specified in the Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2016.

(k) “management” with its grammatical variations and cognate expressions, means carrying out of scientific, engineering and sustainable scheme for taking measures for safe disposal or utilization of the wastes;

(l) “means of access” includes a road, wharf or any other means of access, whether private or public, for vehicles or boats or for foot passengers;

(m) “premises” means any land or building or part of a building and includes:—

(i) garden, ground and out-house, if any, appertaining to such building or part of a building; and

(ii) any fittings affixed to such building or part of a building for the more beneficial enjoyment thereof;

(n) “prescribed” means prescribed by rules made under this Act;

(o) “Waste” includes commercial waste, residential waste, hazardous waste, electronic and electrical waste (E-waste), bio-medical waste etc.;

(p) “waste management” means any service which is directly or indirectly undertaken for the purpose of waste management and includes providing any service for effectively managing waste, such as, treatment, storage, disposal, utilization, etc, of waste;

(q) “waste management area/site” means any area/site selected by the Government where the Corporation may develop plots of land and/or build buildings/facilities and make them available for waste management;

(r) The expression “land” and the expression “person interested” shall have the same meaning respectively assigned to them in section 3 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act No. 30 of 2013).

Chapter II

3. *Establishment and incorporation.*— 1. For the purpose of securing and assisting in the orderly establishment and development of facilities for scientific management of various types of wastes, there shall be established by the Government, by notification in the Official Gazette, a Corporation by the name, the Goa Waste Management Corporation.

2. The Corporation shall be a body corporate with perpetual succession and a common seal, and may sue and be sued in its corporate name, and shall be competent to acquire, hold and dispose off property, both movable and immovable, and to contract and do all things necessary for the purposes of this Act.

4. *Constitution.*— 1. The Corporation shall consist of the following Directors, namely:—

- (i) Chief Minister of Goa.
- (ii) Minister in-charge of Science and Technology Department.
- (iii) Secretary (Science and Technology) to the Government of Goa.
- (iv) Director, Directorate of Science and Technology.
- (v) Director – Directorate of Environment.
- (vi) Member Secretary, Goa State Pollution Control Board.
- (vii) Director, Directorate of Panchayats.
- (viii) Director, Directorate of Municipal Administration.
- (ix) One scientific expert and one engineering expert, to be nominated by the Government.
- (x) Two persons having experience in managing waste, to be nominated by the Government.
- (xi) Two persons, one each from Municipality and panchayat, to be nominated by the Government.
- (xii) The Managing Director of the Corporation, who shall be the Chief Executive Officer of the Corporation and

shall also be the ex-officio Secretary to the Corporation.

(2) The Chief Minister of Goa shall be the Chairperson, and the Minister in-charge of Science and Technology Department shall be the Vice-Chairperson, of the Corporation.

(3) The Managing Director of the Corporation shall be responsible for the day to day functioning of the Corporation besides to execute all the decisions taken by the Board of Directors.

5. *Disqualification for being Director.*— A person shall be disqualified for being nominated as a Director of the Corporation, if he—

- (a) is an employee of the Corporation, not being the Managing Director; or
- (b) is of unsound mind, and stands so declared, by a competent Court; or
- (c) is an undischarged insolvent; or
- (d) is convicted of an offence involving moral turpitude within a period of five years immediately before he being nominated as a Director.

6. *Term of office and conditions of service of Director.*— (1) The Directors of the Corporation nominated under sub-section (1) of section 4, shall hold office during the pleasure of the Government.

(2) The Chairperson, Vice Chairperson and Directors of the Corporation nominated under sub-section (1) of section 4, shall be entitled to draw such honorarium or compensatory allowance for the purpose of meeting the personal expenditure for attending the meeting of the Corporation or of any Committee thereof or when appointed in connection with the work undertaken by or for the Corporation, as may be prescribed.

(3) The office of the Director and/or Chairperson and/or Vice-Chairperson of the Corporation, in so far as it is an office of profit under the Government, shall not disqualify the holder of such office for being chosen as and for being a member of the Legislative Assembly of Goa.

7. *Meetings of Corporation.*— (1) The Corporation shall meet at such times and places, and shall, subject to the provisions of sub-section (2), observe such rules of procedure in regard to the transaction of its business, as may be prescribed.

(2) A Director, who is directly or indirectly concerned or interested in any contract, loan, arrangement or proposal entered into or proposed to be entered into by or on behalf of the Corporation shall, at the earliest possible opportunity, disclose the nature of his interest to the Corporation, and shall not be present for any meeting of the Corporation when any such contract, loan, arrangement or proposal is discussed.

(3) There shall be at least 1/3rd of the total number of Directors of the Corporation present for any meeting so called, failing which, the meeting shall stand cancelled. The Managing Director who shall function as ex officio secretary to the Corporation shall remain present for all such meetings.

8. *Cessation of being Director.*— If a Director,—

(a) becomes, subject to any of the disqualifications mentioned in section 5; or

(b) tenders his resignation in writing to, and such resignation is accepted by, the Government; or

(c) is absent without the leave from Chairperson for three consecutive meetings of the Corporation, or from all meetings of the Corporation for three consecutive months; or

(d) is convicted of an offence involving moral turpitude, he shall cease to be a Director of the Corporation.

9. *Vacancies how to be filled.*— Any vacancy of a Director of the Corporation shall be filled as early as practicable in like manner as if the appointment was being made originally:

Provided that, during any such vacancy, the continuing directors may act as if no vacancy had occurred.

10. *Temporary absence of Directors.*— (1) If the Chairperson, Vice-Chairperson or any other Director of the Corporation is by reason of illness or otherwise rendered temporarily incapable of carrying out his duties or is granted leave of absence by the Government, or is otherwise unable to attend to his duties in circumstances not involving the cessation of his Directorship, the Government may appoint another person who fulfils the requirements thereof, to act for him and carry out his duties and functions by or under this Act. Such person shall vacate office on the date when the Director for whom he is acting resumes his duties.

(2) In the absence of the Chairperson, Vice-Chairperson shall preside over the meetings of the Corporation and in absence of both of them, the Directors present shall choose the Presiding Officer to preside over the meetings of the Corporation.

11. *Proceedings presumed to be good and valid.*— No disqualification of, or defect in the appointment of, any person acting as the Chairperson or Vice-Chairperson or a Director of the Corporation, shall vitiate any act or proceeding of the Corporation, if such act or proceeding is otherwise in accordance with the provisions of this Act.

12. *Officers and servants of the Corporation.*— (1) The Government shall appoint a Managing Director and a Chief Accounts Officer of the Corporation.

(2) The Corporation may appoint such other officers and servants, subordinate to the officers mentioned in sub-section (1), as it considers necessary for the efficient performance of its duties and functions, subject to the approval of the Government.

(3) The conditions of appointment and service of the Managing Director, the Chief Accounts Officer and other officers and servants of the Corporation shall be such as may be prescribed.

Chapter III

Functions and Powers of the Corporation

13. *Functions.*— The functions of the Corporation shall be,—

(i) generally to secure and assist in orderly establishment and development of facilities for the management of various categories of wastes such as solid wastes, e-waste, bio-medical waste, hazardous waste and any other waste in order to develop and create clean and sustainable waste-free environment in the State of Goa by ensuring disposal of all wastes in the manner provided under the law.

(ii) in particular and without prejudice to the generality of clause (i) to,—

(a) frame Policies and to establish, develop facilities for effective management of all wastes at places selected by the Government;

(b) manage facilities which have already been established or are in the process of establishment;

(c) develop areas in consultation with the Government for the purpose of making them available for waste management;

(d) promote and implement schemes for managing waste at household, institutional, corporate and panchayat/ municipality level;

(e) develop a database of available technologies and best practices to tackle various waste and other waste problems at various levels;

(f) develop facilities relating to information dissemination and mass awareness to educate the general public and other establishments;

(g) encourage development of research facilities, provide aid to organizations, individuals, institutions, panchayats and municipalities to develop and implement new models of waste management, etc;

(h) hold, organize and attend conferences, workshops, panel discussions, exhibitions, etc.;

(i) undertake schemes or works, either jointly or on agency basis, with other corporate bodies or institutions, or with the Government, in furtherance of the purposes for which the Corporation is established and on all matters connected therewith;

(j) undertake purchase of equipment as deemed essential for waste management;

(k) liaise with the Central Government for various schemes and utilize available Central funds for waste management schemes/projects;

(l) undertake research and development on pilot projects for innovative techniques, processes, for complete management of wastes.

(m) work out techniques, schemes and projects for reducing the carbon footprint and to undertake steps for deriving benefits under carbon credit trading;

(n) exercise any other function for carrying out the purposes of this Act.

14. *General powers of the Corporation.*— Subject to the provisions of this Act, the Corporation shall have power,—

(a) to acquire and hold such property, both movable and immovable, as the Corporation may deem necessary for the performance of any of its activities and to lease, sell, exchange or otherwise transfer any property held by it on such conditions including a condition that any fees charged by the transferee shall be in accordance with such guidelines that may be framed by the Corporation in this regard, from time to time, as may be deemed proper by the Corporation;

(b) to provide or cause to be provided amenities and common facilities in waste management area/site and construct and

maintain or cause to be maintained works and buildings thereof;

(c) to make available buildings on lease to the persons intending to start waste management services or facilities;

(d) (i) to allot plots of land or buildings or parts of buildings, including residential tenements to suitable persons in the waste management area/site established or developed by the Corporation;

(ii) to modify or rescind such allotments, including the right and power to evict the allottees concerned on breach of any of the terms or conditions of their allotment;

(e) to constitute advisory committee to advice the Corporation;

(f) to engage suitable consultants or persons having special knowledge or skills to assist the Corporation in the performance of its functions;

(g) subject to the previous permission of the Government, to delegate any of its powers, generally or specially, to any of its committees or officers, and to permit them to re-delegate specific powers to their subordinates;

(h) to enter into and perform all such contracts as it may consider necessary or expedient for carrying out any of its functions; and

(i) to do such other things and perform such acts as it may think necessary or expedient for the proper conduct of its functions and for carrying into effect the purposes of this Act.

15. *Authentication of orders and documents of Corporation.*— All permissions, orders, decisions, notices and other documents of the Corporation shall be authenticated by the signature of officer authorized by the Corporation in this behalf.

16. *Directions by the Government.*— The Government may issue to the Corporation such general or special directions as to policy

as it may think necessary or expedient for the purpose of carrying out the purposes of this Act, and the Corporation shall be bound to follow and act upon such directions.

Chapter IV

Finance, Accounts and Audit

17. *Application of Corporation's assets.*— All property, funds and other assets vesting in the Corporation shall be held and applied by it, subject to the provisions and for the purposes of this Act.

18. *Corporation's fund.*— (1) The Corporation shall have and maintain its own fund, to which shall be credited—

(a) all monies received by the Corporation by way of grants, subventions, loans, advances or otherwise;

(b) all fees, costs and charges received by the Corporation under this Act;

(c) all monies received by the Corporation from the disposal of lands, buildings and other properties, movable and immovable, and other transaction;

(d) all monies received by the Corporation by way of rent and profits, or in any other manner or from any other source including the proceeds of any loan authorized by section 20;

(e) all monies collected on account of the Cess under the Goa Non-biodegradable Garbage (Control) Act, 1996 and the rules and Amendments made thereunder;

(2) The Corporation may keep in current or deposit account with any nationalized bank to be approved by the Government in this behalf, such sum of money out of its fund as may be prescribed and any money in excess of the said sum shall be invested in such manner as may be approved by the Government.

(3) Such accounts shall be operated upon by such officers of the Corporation as may be prescribed.

19. *Grants, subventions, loans and advances and capital contribution to the Corporation.*— The Government may, after due appropriation made by the State Legislature by law in this behalf, make such grants, subventions, loans and advances and capital contribution to the Corporation as it may deem necessary for the performance of the functions of the Corporation under this Act and all grants, subventions, loans and advances and capital contribution made shall be on such terms and conditions as the Government may, after consulting the Corporation, determine:

Provided that the Corporation will have to raise such funds essential for its functioning and such other funds for its intended projects through revenue generation measures and create sufficient fund-base to maintain its sustainability, following which the Government shall appropriately decrease its contribution or grants, as the case may be.

20. *Power of the Corporation to borrow.*— The Corporation may, subject to such conditions as may be prescribed in this behalf, borrow money in the open market or otherwise with a view to providing itself with adequate resources, with prior approval of the Government.

21. *Deposits.*— The Corporation may accept deposits on such conditions as it deems fit from persons, authorities or institutions to which allotment or lease of land, buildings or sheds is made or is likely to be made in furtherance of the objects of this Act.

22. *Reserve and other funds.*— (1) The Corporation shall make provision for such reserve and other specially denominated funds as the Government may, from time to time, direct.

(2) The management of the funds referred to in sub-section (1), the sums to be transferred from time to time to the credit thereof and the application of money comprised therein, shall be determined by the Corporation.

(3) None of the funds referred to in sub-section (1) shall be utilized for any purpose other than that for which it was constituted, without the previous approval of the Government.

23. *Expenditure from funds.*— (1) The Corporation shall have the authority to spend such sums as it thinks fit for the purposes authorized under this Act from and out of the general fund of the Corporation referred to in section 18 or from the reserve and other funds referred to in section 22, as the case may be.

(2) Without prejudice to the generality of the power conferred by sub-section (1) the Corporation may contribute such sums as it thinks fit towards expenditure incurred or to be incurred in the performance of any of the statutory functions of the Corporation including expenditure incurred in acquisition of land.

24. *Budget and programme of work.*— (1) The Corporation shall, by such date in each year as may be prescribed, prepare and submit to the Government for approval an annual financial statement and the programme of work for the succeeding financial year.

(2) The annual financial statement shall show the estimated receipts and expenditure during the succeeding financial year in such form and detail as may be prescribed.

(3) The Corporation shall be competent to make variations in the programme of work in the course of the year provided that all such variations and re-appropriations out of the sanctioned budget are brought to the notice of the Government by a supplementary financial statement.

(4) A copy of each annual financial statement and the programme of work and the supplementary financial statement, if any, shall be placed before the Legislative Assembly as soon as may be after their receipt by the Government.

25. *Accounts and audit.*— (1) The Corporation shall maintain books of account and other

books in relation to its business and transactions in such form, and in such manner, as may be prescribed.

(2) The accounts of the Corporation shall be audited by an auditor appointed by the Government, in the prescribed manner.

(3) As soon as the accounts of the Corporation are audited, the Corporation shall send, a copy thereof with a copy of the report of the auditor thereon to the Government.

(4) The Government shall cause the accounts of the Corporation together with the audit report thereon forwarded to it under sub-section (3) to be laid annually before the Legislative Assembly.

26. *Concurrent and special audit of accounts.*— (1) Notwithstanding anything contained in section 25, the Government may order that there shall be concurrent audit of the accounts of the Corporation by such persons as it thinks fit. The Government may also direct a special audit to be made by such person as it thinks fit of the accounts of the Corporation relating to any particular transaction or class or series of transaction or to a particular period.

(2) When an order is made under sub-section (1) the Corporation shall present or cause to be presented for audit such accounts and shall furnish to the person appointed under sub-section (1) such information as the said person may require for the purpose of audit.

CHAPTER V

Acquisition and Disposal of Land

27. *Acquisition of land for the Corporation to be a public purpose.*— Any land required by the Corporation for carrying out any of its functions under this Act shall be deemed to be needed for a public purpose and may be acquired under the provisions of the Right to fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act No. 30 of 2013), or any other law for the time being in force.

28. *Use of land by the Corporation.*— The Corporation may use the land, by itself or permit use of the land through any other agency, for securing the purposes of this Act:

Provided that the Corporation shall obtain Government approval where the land is to be used by any other agency and such approval shall also include approval of the terms and conditions of user.

29. *Government lands.*— (1) For the furtherance of the objects of this Act, the Government may, upon such conditions as may be agreed upon between the Government and the Corporation, place at the disposal of the Corporation any lands vested in the Government.

(2) After any such land has been developed by, or under the control and supervision of the Corporation, it shall be dealt with by the Corporation in accordance with the provisions of this Act and rules made hereunder and directions given by the Government in this behalf.

(3) If any land placed at the disposal of the Corporation under sub-section (1) is required at any time thereafter by the Government or is not required by the Corporation, the Corporation shall place it at the disposal of the Government upon such terms and conditions as may be mutually agreed upon.

Chapter VI

Supplementary and Miscellaneous Provisions

30. *Powers of Corporation in case of certain defaults by holder of land in waste management area/site.*— (1) If the Corporation after holding a local inquiry, or upon report from any of its officers or other information in its possession, is satisfied that the holder of any land where waste management facility is provided, has failed to provide any amenity in relation to the land which in the opinion of the Corporation ought to be provided or has failed to carry out any development of the land for which permission has been obtained under this Act, the Corporation may serve upon the

owner a notice requiring him to provide the amenity or carry out the development within such time as may be specified in the notice.

(2) If any such amenity is not provided or any such development is not carried out within the time specified in the notice, then the Corporation may itself provide the amenity or carry out the development or have it provided or carried out through such agency as it deems fit:

Provided that, before taking any action under this sub-section, the Corporation shall afford a reasonable opportunity to the holder of the land to show cause as to why such action should not be taken.

(3) All expenses incurred by the Corporation or the agency employed by it in providing the amenity or carrying out the development together with interest, at such rate as the Government may by order fix, from the date when a demand for the expenses is made until payment, shall be recoverable by the Corporation from the holder of land.

31. Penalty for construction or use of land and buildings contrary to terms of holdings.—

(1) Any person who, whether at his own instance or at the instance of any other person, undertakes or carries out construction of or alteration to any building in any waste management area/site contrary to the terms under which he holds such building or land under this Act or any rules made hereunder shall, be liable to a fine which may not be less than fifty thousand rupees, and in the case of a continuing contravention, with a further fine which may extend to one thousand rupees for every day during which such offence continues after commission of first such offence.

(2) Any person who uses any land or building in a waste management area/site contrary to the terms under which he holds such land or building under this Act or any rules made hereunder in this behalf shall be liable to pay fine as determined by the Corporation which may not be less than one

lakh rupees, and such person shall be liable to be evicted therefrom.

32. Power to lay pipe lines, etc.— (1) Within any area taken up for development under sub-clause (c) of clause (ii) of section 14, the Corporation, or any person empowered in this behalf by the Government by notification in the Official Gazette (hereinafter in this section referred to as “the authorized person”), may, for the purposes of (a) carrying gas, water or electricity from a source of supply to the said area or (b) constructing any sewers or drains through any intervening area, lay down, place, maintain, alter, remove or repair any pipes, pipe lines, conduits, supply or service lines, posts or other appliances or apparatus in, on, under, over, along or across any land in such areas.

(2) The Corporation or the authorized person may at any time enter upon any land in any such area and in such event the provisions of section 34 shall, *mutatis mutandis*, apply.

(3) While exercising the power conferred by sub-section (1), the Corporation or the authorized person shall cause as little damage as possible to property. Full compensation to all persons interested for any damage sustained by them in consequence of the exercise of such power as aforesaid shall be paid, as the case may be, by the Corporation or, in the case of the authorized person, by the Government.

(4) Nothing herein shall authorize or empower the Corporation or the authorized person to lay down or place any pipe or other works into, through or against any building or in any land not dedicated to public use without the consent of the owner and occupiers thereof, except that the Corporation or such person may at any time enter upon and lay or place any new pipe in the place of an existing pipe in any land wherein any pipe has been already lawfully laid down or placed in pursuance of this Act, and may repair or alter any pipe so laid down:

Provided that, nothing in the aforesaid provision shall be construed to mean that the Government is forbidden from having the said land acquired at any time in the normal course.

33. *Powers of entry.*— Any officer of the Government, or that of the Corporation, either generally or specially authorized by the Government or the Corporation, in this behalf, may enter into or upon any land or building with or without assistants or workmen for the purpose of:—

(a) making any inspection, survey, measurement, valuation or enquiry or taking levels of such land or building;

(b) examining works under construction and ascertaining the course of sewers and drains;

(c) digging or boring into the sub-soil;

(d) setting out boundaries and intended lines of work;

(e) marking such levels, boundaries and lines by placing marks and cutting trenches;

(f) doing any other thing necessary for the efficient administration of this Act:

Provided that.—

(i) no such entry shall be made except between the hours of sunrise and sunset and without giving reasonable notice to the occupier, or of there be no occupier, to the owner of the land or building;

(ii) sufficient opportunity shall in every instance be given to enable women (if any), to withdraw from such land or building;

(iii) due regard shall always be had, so far as may be compatible with exigencies of the purpose for which the entry is made, to the social and religious usages of the occupants of the land or building erected.

34. *Officers of the Corporation may be vested with other powers.*— The Government may, by notification in the Official Gazette, appoint any officer of the Corporation to be a controller or licensing authority under any

law for the time being in force relating to the procurement or distribution of any commodity in respect of the facilities for waste management established or to be established in the waste management area/site or in such areas entrusted to or developed by the Corporation and no such nomination shall be called into question merely on the ground that such officer is not an officer of the Government.

35. *Overriding powers of Government to issue directions to local authorities.*— Notwithstanding anything contained in any other law, or in any licence or permit, if the Government is satisfied, either on a recommendation made in this behalf by the Corporation or otherwise, that the setting up of waste management facility (whether within a waste management area/site or outside) is impeded by a local authority's refusal to grant, or by such 'authority's insistence on conditions which the Government considers unreasonable for the grant of, any amenity, the Government may direct the local authority to grant such amenity on such conditions as it may consider fit, and thereupon the amenity shall be granted:

Provided that the charge to be paid for granting or continuing such amenity to the local authority concerned shall be not less than the cost incurred by the local authority concerned for providing such amenity:

Provided further that no such direction shall be issued by the Government unless the local authority is given a reasonable opportunity to show cause as to why such direction should not be made.

36. *Declaration of waste management area/site.*— (1) Notwithstanding anything to the contrary contained in any other State law for the time being in force, the Government may by notification in the Official Gazette,—

(a) for the purpose of establishing facilities for waste management, and waste disposal, declare any area as waste management area/site;

(b) appoint any officer of the Corporation or Committee thereof for the purpose of the assessment and recovery of any taxes when imposed as per the provisions made thereof;

(c) declare that the provisions of any law relating to local authorities providing for control or erection of buildings, levy and collection of taxes, fees and other dues to the local authority which is in force in that area/site shall cease to apply and thereupon such provisions shall cease to apply thereof:

Provided that the local authority which were receiving house tax from the occupants in the waste management area/ /site under their respective laws, shall be compensated by the Government to the extent of the last financial year's collection of taxes for such period as may be determined by the Government which shall not be less than five years;

(d) make other provision as is necessary for the purpose of the enforcement of the provision so provided to that area/site.

(2) Before the publication of a notification under sub-section (1) the Government shall cause to be published in the Official Gazette and also in at least one newspaper published in language other than English and circulating in the area to be specified in the notification, and inviting from all persons who have any objections to the said proposal, to submit the same in writing with reasons thereof to the Government within one month from the date of publication of the proclamation in the Official Gazette.

(3) No such notification under sub-section (1) shall be issued by the Government, unless the objections, if any, so submitted under sub-section (2) are, in its opinion, insufficient or invalid.

37. *Recovery of sums due to the Corporation as arrears of land revenue.*— All sums payable by any person to the Corporation or recoverable by it by or under this Act and all charges or expenses incurred in connection therewith shall, without prejudice to any other mode of recovery, be

recoverable as arrears of land revenue on the application of the Corporation.

38. *Service of notices, etc.*— (1) All notices, orders and other documents required by this Act or any rule made hereunder to be served upon any person shall, save as otherwise provided in this Act or such rule be deemed to be duly served;

(a) where the person to be served is a company, if the service is effected in accordance with the provisions of section 20 of the Companies Act, 2013 (Central Act 18 of 2013);

(b) where the person to be served is a firm, if the document is addressed to the firm at its principal place of business identifying it by the name or style under which its business is carried on, and is either,—

(i) sent under a certificate of posting or by registered post; or

(ii) left at the said place of business;

(c) where the person to be served is a statutory public body or a corporation or a society or other body, if the document is addressed to the secretary, treasurer or other chief officer of that body, corporation or society at its principal office and is either,—

(i) sent under a certificate of posting or by registered post; or

(ii) left at that office or at the place of establishment;

(d) in any other case, if the document is addressed to the person to be served and.—

(i) is given or tendered to him, or office or place of establishment;

(ii) if such person cannot be found, is affixed on some conspicuous part of his last known place of residence or business or is given or tendered to some adult member of his family or is affixed on some conspicuous part of the land or building to which it relates; or—

(iii) is sent under a certificate of posting or by registered post to that person.

(2) Any document which is required or authorized to be served on the owner or occupier of any land or building may be addressed to “the owner” or “the occupier”, as the case may be, of that land or building (naming that land or building) without further name or description, and shall be deemed to be duly served,—

(a) if the document so addressed is sent or delivered in accordance with clause (d) of sub-section (1); or

(b) if the document so addressed or a copy thereof so addressed, is given or tendered to some person on the land or building or, where there is no person on the land or building to whom it can be delivered, is affixed on some conspicuous part of the land or building.

(3) Where a document is served on a firm in accordance with this section, the document shall be deemed to be served on each partner.

(4) For the purpose of enabling any document to be served on the owner of any property, the occupier (if any), of the property may be required by notice in writing by the Government or the Corporation, as the case may be, to state the name and address of the owner thereof.

39. *Public notices how to be made known.* — Every public notice given under this Act or any rule made hereunder shall be in writing over the signature of the officer concerned and shall be widely made known in the locality to ‘be affected thereby affixing copies thereof in conspicuous public places, within the said locality, or by publishing the same by beat of drum or by advertisement in a local newspaper, or by any two or more of these means, and by any other means that the officer may think fit.

40. *Notices, etc. to fix reasonable time.*— Where any notice, order or other document

issued or made under this Act or any rule made hereunder requires anything to be done for the doing of which no time is fixed by this Act or the rule, the notice, order or other document shall specify a reasonable period of time for doing the same or complying therewith.

42. *Furnishing of returns, etc.*— (1) The Corporation shall furnish to the Government such returns, statistics, reports, accounts and other information with respect to its conduct of affairs, properties or activities or in regard to any proposed work or scheme as the Government may from time to time require.

(2) The Corporation shall, in addition to the audit report referred to in section 26, furnish to the Government an annual report on its working as soon as may be after the end of each financial year in such form and detail as may be prescribed, and a copy of the annual report shall be placed before the Legislative Assembly as soon as may be after it is received by the Government.

42. *Withdrawal of waste management area/site or part thereof.*— Where the Government is satisfied that in respect of any particular waste management area/site, or any part thereof, the continued existence of such area/site or part thereof under the Corporation unnecessary, the Government may, by notification in the Official Gazette, declare that such waste management area/site or part thereof has been removed from the jurisdiction of the Corporation. The Government may also make such other incidental arrangements for the administration of such area/site or part thereof as the circumstances necessitate.

43. *Default in performance of duty.*— (1) If the Government is satisfied that the Corporation has made a default in performing of any duty or obligation imposed or cast on it by or under this Act, the Government may fix a period for the performance of that duty or obligation, and give notice to the Corporation accordingly.

(2) If, in the opinion of the Government, the Corporation fails or neglects to perform such

duty or obligation within the period so fixed for its performance, it shall be lawful for the Government to supersede and reconstitute the Corporation, as it deems fit.

(3) After the supersession of the Corporation and until it is re-constituted in the manner laid down in Chapter II, the powers, duties and functions of the Corporation under this Act shall be carried on by the Government or by such officer or officers or body of officers as may be nominated by the Government for this purpose from time to time.

(4) All property vested in the Corporation shall during the period of supersession vest in the Government.

44. *Dissolution of Corporation.*— (1) Where the Government is satisfied that the purposes for which the Corporation was established under this Act have been substantially achieved so as to render the continued existence of the Corporation in the opinion of the Government unnecessary, the Government may, by notification in the Official Gazette, declare that the Corporation shall be dissolved with effect from such date as may be specified in the notification, whereupon the Corporation, shall be deemed to be dissolved accordingly.

(2) From the said date,—

(a) all properties, funds and dues which are vested in, or realisable by, the Corporation shall vest in, or be realisable by, the Government;

(b) all liabilities which are enforceable against the Corporation shall be enforceable against the Government.

45. *Offences and Penalties.*— Whoever contravenes the provisions of this Act or rules made thereunder shall be punishable with imprisonment for a term which may extend to one year.

46. *Authority for prosecution.*— Unless otherwise expressly provided, no Court shall take cognizance of any offence relating to property belonging to, or vested by or under this Act, in the Corporation, or offence

punishable under this Act, except on the complaint of, or upon information received from the Corporation or some person authorized by the Corporation by general or special order in this behalf.

47. *Offence by companies.*— (1) Where an offence under this Act has been committed by a company every person who, at the time the offence was committed, was in charge of, or was responsible to the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that, nothing contained in this sub-section shall render any such person liable to any punishment under this Act if he proves that the offence was committed without his knowledge and that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1) where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation:— For the purposes of this section,

(a) “company” means a body corporate and includes a firm or other association of individuals; and

(b) “director” in relation to a firm, means a partner in the firm.

48. *Penalty for obstruction.*— (1) Any person who obstructs the entry of a person authorized under section 34 or any person with whom the Corporation has entered into a contract for the performance and execution of any act by such person, to enter into or upon any land or building or molests such person after

such entry or who obstructs the lawful exercise by him of any power conferred by or under this Act shall, on conviction by a competent court, be punished with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

(2) If any person removes any mark set up for the purpose of indicating any level, boundary line, or direction necessary to the execution of works authorized under this Act, he shall, on conviction, be punished with imprisonment for a term which may extend to three months or with fine which may extend to rupees ten thousand or with both.

49. *Power to make rules.*— (1) The Government, after consultation with the Corporation in regard to matters concerning it, may, by notification in the Official Gazette, make rules to carry out the purposes of this Act:

Provided that a consultation with the Corporation shall not be necessary on the first occasion of the making of rules under this section, but the Government shall take into consideration any suggestions which the Corporation may make in relation to the amendment of such rules after they are made.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) under section 6, the honorarium or compensatory allowance of the Chairperson, Vice-Chairperson and Directors of the Corporation;

(b) under section 7, the time and place of meetings of the Corporation and the procedure to be followed in regard to the transaction of business at such meetings;

(c) under section 12, the conditions of appointment and service of the Managing Director, Chief Accounts Officer and other officers and servants of the Corporation;

(d) under section 19 (2), the sum of money to be kept by the Corporation in current and deposit accounts;

(e) under section 19 (3), the officers of the Corporation who may operate its accounts;

(f) under section 21, the conditions subject to which the Corporation may borrow;

(g) under section 25, the date by which the annual financial statement and programme of work shall be submitted by the Corporation to the Government and the form and manner of preparing such statement;

(h) under section 26, the form and manner of maintaining accounts;

(k) under section 42 (2), the form of, and the details to be given in, the annual report;

(i) the fees which may be charged by the Corporation;

(j) any other matter which has to be or may be prescribed by rules.

(3) All rules made under this section shall be laid before the Legislative Assembly as soon as possible after they are made, and shall be subject to such modifications as the Assembly may make during the session in which they are so laid, or the session immediately following.

50. *Protection of action taken in good faith.*— No suit, prosecution or other legal proceedings shall lie against any person for anything which is in good faith done or intended to be done under this Act or any rule made hereunder.

51. *Notice of suit and limitation of suits against the Corporation, Committees, officers and servants for acts done in pursuance of execution of this Act.*— (1) No suit shall lie against the Corporation or against any Committee constituted under this Act or against any Officer, or servant of the Corporation in respect of any Act done in pursuance of the execution or intended execution of this Act, or in respect of any alleged neglect, or default in the execution of this Act:—

(a) unless it is commenced within six months after the accrual of the cause of action; and

(b) until the expiration of two months after the notice in writing has been in the case of the Corporation or its committee, delivered or left at the Corporation's office and in the case of an officer or servant of the Corporation, delivered to him or left at his office or place of abode and all such notices shall state with reasonable particulars the cause of action and the name and place of abode of the intending plaintiff and of his advocate, pleader, or agent, if any, for the purpose of the suit.

(2) If the defendant in any such suit is an officer, or servant of the Corporation, payment of any sum or part thereof payable by him in or in consequence of the suit may with the sanction of the Corporation, be made from the Corporation funds.

52. Directors, officers and staff of Corporation to be public servants.— All directors, officers and servants of the Corporation shall, when acting or purporting to act in pursuance of any of the provisions of this Act, be deemed to be public servants within the meaning of section 21 of the Indian Penal Code, 1860 (45 of 1860).

53. Act to have overriding effect.— The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other State law.

54. Power to remove doubts and difficulties.— (1) If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act which appear to it to be necessary or expedient for the purpose of removing the difficulty:

Provided that no order shall be made under this section after the expiry of two years from the date of commencement of this Act.

(2) Every order made under this section shall, as soon as may be after it is made, be laid before the State Legislature.

Statement of Objects and Reasons

There is an urgent need to address the problem of waste disposal at various areas in the State of Goa in a co-ordinated and effective manner. A special focus requires to be given for management of waste in coastal belts, rural area and other such areas as proposed by the Government. For this purpose, it is required to establish the Goa Waste Management Corporation to assist generally in the organization and scientific management of waste (E-waste, Bio-medical waste, Hazardous waste, etc.) in the manner provided under law in such areas in the State of Goa. The Goa Waste Management Corporation would promote and assist in the rapid and orderly establishment, growth and development of Waste Management services and facilities in the State of Goa, in order to develop and create clean and sustainable waste free environment in the State.

This Bill seeks to achieve the above object.

Financial Memorandum

The Bill provides for establishment of the Goa Waste Management Corporation. In furtherance to achieving its objectives, the Corporation shall acquire certain fixed assets, land and building, machinery, Solid Waste Management Facilities, Bio-medical Waste Facilities, E-waste Facilities, etc. and employ staff for which purpose the Government through Department of Science and Technology shall provide for sufficient grant-in-aid in the first instance. The Corporation is expected to generate revenue from it's solid waste management projects and facilities which would provide for upkeep and maintenance of the facilities of the Corporation. The Corporation is expected to be funded through Cess collected under the Goa Non-biodegradable Garbage Control Act as well as through Green Cess.

Memorandum Regarding Delegated
Legislation

Clause 1 (3) of the Bill empowers the Government to appoint a date, by notification in the Official Gazette, for bringing into force the Act.

Clause 2 (a) of the Bill empowers the Government to specify an amenity by notification in the Official Gazette.

Clause 3 (1) of the Bill empowers the Government to establish by notification in the Official Gazette, the Goa Waste Management Corporation.

Clause 6 (2) of the Bill empowers the Government to frame rules to specify the honorarium or compensatory allowance entitled to the Chairperson, Vice-Chairperson and Directors of the Corporation.

Clause 7 (1) of the Bill empowers the Government to frame rules providing for the time, place of meeting of Corporation and the rules of procedure in regard to the transaction of its business.

Clause 12 (3) of the Bill empowers the Government to frame rules specifying the conditions of appointment and service of the Managing Director, the Chief Account Officer and other officers and servants of the Corporation.

Clause 19 (2) of the Bill empowers the Government to frame rules specifying the sums of money to be kept by the Corporation in current and deposit accounts.

Clause 19 (3) of the Bill empowers the Government to make rules authorizing the officers of the Corporation who may operate the accounts of the Corporations.

Clause 21 of the Bill empowers the Government to frame rules to specify the conditions subject to which the Corporation may borrow money.

Clause 25 of the Bill empowers the Government to frame rules specifying the

date by which the annual financial statement and programme of work to be submitted by the Corporation and the form and manner of preparing such statements.

Clause 26 of the Bill empowers the Government to frame rules specifying the form and manner of maintaining accounts of the Corporation.

Clause 31 (3) of the Bill empowers the Government to fix the rate of interest by an order.

Clause 33 of the Bill empowers the Government to empower any person, by notification in the Official Gazette, to lay down, place, maintain, alter, remove or repair any pipe, pipelines, conduits, etc.

Clause 35 of the Bill empowers the Government to nominate, by notification in the Official Gazette, any officer of the Corporation to be a controller or licensing authority under any law.

Clause 37 (a) of the Bill empowers the Government to declare any area as Waste Management area/site by notification in the Official Gazette.

Clause 42 of the Bill empowers the Government to frame rules specifying the form and details of the annual report.

Clause 43 of the Bill empowers the Government to declare, by notification in the Official Gazette, that Waste Management area/site or part thereof has been removed from the jurisdiction of the Corporation.

Clause 45 of the Bill empowers the Government to issue notification to declare dissolution of Corporation.

Clause 47 of the Bill empowers the Corporation to authorize a person by general or special order, to make complaint or give information of any offence relating to property of the Corporation.

Clause 50 of the Bill empowers the Government to frame rules for carrying out the purposes of the Act.

Clause 54 of the Bill empowers the Government to make order for removing any doubt or difficulty, which arose while giving effect to the provisions of the Act.

These delegations are of normal character.

Porvorim-Goa.
08-08-2016.

ALINA SALDANHA
Minister for Science and
Technology.

Assembly Hall,
Porvorim-Goa.
08-08-2016.

N.B. SUBHEDAR
Secretary to the Legislative
Assembly of Goa.

Governor's Recommendation

The Governor has, in pursuance of Article 207 of the Constitution of India, recommended to the Legislative Assembly, the introduction and consideration of the Goa Waste Management Corporation Bill, 2016.

MRIDULA SINHA
Governor of Goa.

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Department of Revenue

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Order

35/4/2016-RD/2433

In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (Central Act 2 of 1899), as in force in the State of Goa (hereinafter referred to as the 'said Act'), the Government of Goa hereby remits entire stamp duty chargeable on conveyance (not being a transfer charged or exempted under article No. 62) so far as it relates to immovable property, which is presently specified in article 22(b) of Schedule I-A to the said Act, executed by or on behalf of the co-operative housing societies developed and formed by employees of Government of Goa and accredited journalists registered with Department of Information and Publicity, Government of Goa.

This order shall come into force with immediate effect.

By order and in the name of Governor of Goa.

Ashutosh Apte, Under Secretary (Revenue-I).

Porvorim, 30th July, 2016.

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Department of Sports and Youth Affairs

Directorate of Sports & Youth Affairs

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Notification

DSYA/SYP/2016-17/1763

Amended scheme for implementation of the Goa State Youth Policy 2015 through the release of Grant-in-aid and organisation of various programmes by the Directorate of Sports and Youth Affairs for the benefit of the youth

A. Short title and commencement.— The scheme shall be called 'Scheme for implementation of the Goa State Youth Policy 2015 through the release of Grant-in-aid and the organization of various programmes for the benefit of the youth. It shall commence and come into force from the date of publication in the Official Gazette.

B. Introduction.— An action plan and implementation strategy is the next immediate step to be taken after the launching of the Goa State Youth Policy 2015 early this year. In keeping with realizing the aims of the State Youth Policy, a scheme that will implement many Programmes needed to elevate the youth of this State to the optimum level of development, needs to be in place. This scheme, seeks to achieve this aim ceaselessly with concerted efforts, through the release of Grant-in-aid and organization of various programmes for the benefit of the youth.

C. Objectives.— (i) To impart training/ /conduct workshops for the Youth Individuals and Youth Organizations in different subjects as detailed at clause "G".

(ii) To ensure that maximum youth of this State receive training in various fields, subjects, areas thereby empowering them to be self-sufficient and instilling in them a sense of self-confidence which enables them to make substantial contributions towards nation building.

(iii) To inculcate in them, values of patriotism, tolerance, peace and communal harmony while also respecting the diversity of religion, language, habit and lifestyle of the Goans.

(iv) To create awareness against social evils prevailing in the society and to curb the same.

(v) To extend support, by way of empowerment, to young women, socially and economically weak youth, youth with physical, sensory and intellectual impairments and ensure that they become part of the mainstream development process of the State and the Nation.

(vi) To make constant endeavors in the form of awareness, education, training and self-enhancement so as to make Goan youth economically stable, progressive and self-reliant.

D. Vision.— Being the apex State agency for youth development, the Directorate of Sports and Youth Affairs shall strive and put its best foot forward to ensure that the aims and objectives of the Goa State Youth Policy-2015 are realized through the success achieved from releasing Grant-in-aid to Youth Clubs/ /Organizations/NGOs/Colleges and Higher Secondary Schools for conducting various training and interactive sessions with the youth of Goa thereby also realizing their potentials to the maximum for creation of a vibrant and progressive society. In addition, this Department shall simultaneously organize programmes directly for the youth which shall ensure that maximum youth are trained.

E. Scope of the scheme.— The scheme envisages all round development of the youth besides developing in them a sense of patriotism towards both their State and Nation by empowering them in various areas such as ability to make the right career choice/

/awareness of competitor exams, knowledge and motivation to pursue desired profession through an Educational Mela, insights to Value Education resulting in quality citizenry, information of prevalent social evils such as addictions to drugs and alcohol and knowledge and means of curbing such harmful practices and pull self and others out of the menace, to enhance the quality of life through knowledge of life skills, creation of short films, Shramdaan programmes, to showcase and develop the abundance of talent, to imbibe self-confidence and courage among differently abled youth, to promote happiness and harmony through the development of a healthy and fit society, to develop the youth into leaders and make youth work in unison with the Government through various Youth Clubs etc. towards ultimately building a powerful Nation.

F. Eligibility.— (a) For programmes organized by the Department of Sports and Youth Affairs.

(i) Any Individual/Organization/Institution/ /NGO/Youth Club registered with this Directorate/Nehru Yuvak Kendra Sanghtan/ or under Societies Act, 1860 who shows a strong desire of working towards the upliftment and progression of the youth.

(ii) Preference will be given to National/ /State Youth Awardees and to Youth Clubs/ /NGOs/Institutions, according to their record of having worked for the betterment of the youth during the last three years or more.

(iii) The Government reserves the right to conduct such youth related programmes through such Institutions of its choice.

(b) For programmes organized by releasing Grant-in-aid.

(i) Any Youth Club registered with this Directorate/Nehru Yuvak Kendra Sanghtan or under Societies Act, 1860/Organization/ /Institution/NGO/College/Higher Secondary School who shows a strong desire of working towards the upliftment and progression of the youth.

(ii) Preference will be given to National/ /State Youth Awardee Clubs/Institutions/

/Organizations/Colleges & Higher Secondary Schools who have a record of having worked for the betterment of the youth during the last three years or more.

(iii) The Government reserves the right to release the Grant-in-aid to such Youth Clubs Institutions/Organizations/NGOs/Colleges & Higher Secondary Schools of its choice.

G. Programmes and activities to be conducted under the scheme.— (1) Conduct Orientation Courses for the in-service staff/Resource Persons.

(2) Conduct courses for awareness of schemes for differently abled youth.

(3) Conduct of workshops on awareness and need of Value and Health Education including Physical Fitness.

(4) Conduct of workshops for awareness on Eradication of Social Evils and Vices among youth.

(5) Organization of Youth exchange Programmes at State, National and International Levels.

(6) Conduct of Educative Programmes on Life Skills.

(7) Conduct of awareness and training of youth for various competitive exams at both State and National Levels and Career Guidance.

(8) Organization of adventure activities for enhancement of confidence, courage and love for nature along with Shramdaan Programme and Promotion of Sense of Adventurism among youth.

(9) Organization of Yuva Abihiyaan with Youth Week celebration and Yuva Sammelans at both Taluka and State level.

(10) Conduct of any other courses such as skill development, creation of short educative film in different areas, deemed fit and necessary for the benefit and welfare of the youth of Goa.

(11) Conduct of courses for guiding Youth Clubs towards promoting Community Service at Village and Taluka level.

(12) Conduct of Leadership and Personality Development Courses.

(13) Organization of Conclave and Educational/Career Guidance Melas for Youth Leadership at State Level.

(14) Conduct of any other courses such as skill development, creation of short educative film in different areas, deemed fit and necessary for the benefit and welfare of the youth of Goa.

(15) Conduct of Inter-School and Collegiate competitions in the field of dance, music, drama, elocution and other areas contributing to the all round development of youth.

H. Quantum of Finance involved.— (i) The Directorate of Sports and Youth Affairs shall organize the courses/workshops with the help of its staff and also by inviting trained resource persons who are well-versed in the relevant fields besides also releasing Grant-in-aid to Youth Club registered with this Directorate/ Nehru Yuvak Kendra Sanghtan or under Societies Act, 1860/Organizations/Institution/NGOs/Colleges/Higher Secondary Schools for organizing similar programmes by aiming to achieve the objectives of the scheme. The various heads of expenditure would include: hire of hall, light, refreshments and lunch, fees and remuneration to resource persons, transportation allowances to participants, folders/writing pads/pens & stationery, hire of vehicles/buses, printing of backdrops, advertisement in local dailies and electronic media, floral arrangements and bouquets etc.

(ii) The DSYA, shall prepare in advance the tentative budget/costing for each event/programme proposed, both through Grant-in-aid and direct keeping in mind the total budgetary allocation for the said financial year. This tentative budget/costing per event shall be referred to Department of Finance (Expenditure) for prior expenditure sanction.

I. Application procedure.— (i) Interested Youth Clubs/Organizations/Institutions/NGOs/registered Clubs/Colleges/Higher

Secondary Schools may directly apply for Grant-in-aid to the Directorate of Sports & Youth Affairs for organizing programmes at their end.

(ii) Interested applicants shall apply to the Directorate of Sports and Youth Affairs in response to press releases and/or advertisements in the local print and electronic media or directly.

(iii) The Directorate of Sports & Youth Affairs, through a Special Committee, will scrutinize the applications and the most deserving Individuals/Voluntary Youth Organizations/ /Educational and Sports Institutions shall be selected to participate in the course/workshop or to organize the same.

(iv) The Special Committee shall be constituted by the Government.

J. Budget for the scheme.— The above expenditure will be met by the Department of Sports and Youth Affairs, Government of Goa, from the Budget Head, Demand No. 42; 2204 — Sports & Youth Services (Plan); 00—; 102—Youth Welfare programme for students; 29—Youth Policy; 31—Grant-in-aid; 50—Other Charges; wherein adequate funds are made available.

By order and in the name of Governor of Goa.

V. M. Prabhu Desai, Director & ex officio Jt. Secretary (Sports & Youth Affairs).

Panaji, 4th August, 2016.

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Department of Tribal Welfare
Directorate of Tribal Welfare

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Order

1-1-2016-17/ADMN/DTW/5329

Sanction of the Government is hereby accorded for creation of the following posts in the Directorate of Tribal Welfare with immediate effect.

Sr. No.	Designation	Group	Pay Scale	No. of Posts sanctioned
1.	Assistant Director	Group 'B' Gazetted	9,300-34,800+ GP 4,600	01
2.	District Welfare Officer	Group 'B' Gazetted	9,300-34,800+ GP 4,200	02
3.	Upper Division Clerk	Group 'C' Non-Gazetted	5,200-20,200+ GP 2,400	02
4.	Lower Division Clerk	Group 'C' Non-Gazetted	5,200-20,200+ GP 1,900	03
5.	Peon	Group 'D' Non-Gazetted	4,440-7,440+ GP 1,300	02

The expenditure on creation of the posts is debitable to the Budget Head: 2225—Welfare of SC/ST/OBC; 02—Welfare of ST; 001—Direction & Administration; 01—Directorate of Tribal Affairs(P); 01—Salaries.

This issues with the recommendation of Administrative Reforms Department vide their U. O. No. 1374/F dated 06-04-2016 and concurrence of Finance (R & C) Department vide their U. O. No. 1488095 dated 06-06-2016 and approval of Council of Ministers in the XXXVIth Cabinet Meeting held on 29-07-2016.

By order and in the name of the Governor of Goa.

Sandhya Kamat, Director & ex officio Jt. Secretary (Tribal Welfare).

Panaji, 5th August, 2016.

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